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सं. 36] नई दिल्ली, सितम्बर 1—सितम्बर 7, 2013, शनिवार/भाद्र 10—भाद्र 16, 1935
No. 36] NEW DELHI, SEPTEMBER 1—SEPTEMBER 7, 2013, SATURDAY/BHADRA 10—BHADRA 16, 1935

भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत और पेंशन मंत्रालय

(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 12 अगस्त, 2013

MINISTRY OF PERSONNEL, GRIEVANCES AND
PENSIONS

(Department of Personnel and Training)

New Delhi, the 12th August, 2013

का०आ० 1853.—केन्द्रीय सरकार एतद्वारा दंड प्रक्रिया संहिता, 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए पंचकुला स्थित विशेष न्यायाधीश, सीबीआई, हरियाणा में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थापित डेरा सच्चा सौदा मामले अर्थात् आरसी 5(एस)/2002/एसआईयू-XV/सीएचजी, आरसी 8(एस)/2003/एससीबी/सीएचजी और आरसी 10(एस)/2003/एससीबी/सीएचजी तथा अपीलों, पुनरीक्षणों अथवा विधि द्वारा स्थापित अपीलीय न्यायालयों या पुनरीक्षण में उक्त मामले से उत्पन्न अन्य मामलों के अभियोजन को संचालित करने के लिए श्री वी० के० शर्मा, वकील को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

[सं. 225/1/2013-ए वी डी-II]

राजीव जैन, अवर सचिव

S.O. 1853.—In exercise of the powers conferred by Sub-Section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central, Government hereby appoints Shri V. K. Sharma, Advocate as Special Public Prosecutor for conducting prosecution of Dera Sacha Sauda cases viz RC 5(S)/2002/SIU-XV/CHG, RC 8(S)/2003/SCB/CHG and RC 10(S)/2003/SCB/CHG in the court of Special Judge, CBI Haryana at Punchkula instituted by Delhi Special Police Establishment and appeals, revisions or others matters arising out of the said cases in revisional or appellate courts established by law.

[No. 225/1/2013-AVD-II]

RAJIV JAIN, Under Secy.

नई दिल्ली, 20 अगस्त, 2013

का०आ० 1854.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गोवा राज्य सरकार, गृह विभाग (सामान्य) सचिवालय, गोवा की दिनांक 5 जून, 2013 की अधिसूचना सं० 27/20/2013-एचडी (जी)/1829 द्वारा प्राप्त सहमति से भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं० 45) की धारा 201, 376 और 447, गोवा बालक अधिनियम, 2003 (2003 का गोवा अधिनियम संख्या 18) की धारा 8(2) तथा धारा 3(ए) लैंगिक अपराधों से बालकों का संरक्षण अधिनियम, 2012 (2012 का अधिनियम सं० 32) की धारा 4 के तहत दंडनीय पुलिस थाना-मोर्मूगाँव, वास्को, गोवा में पंजीकृत दीपविहार प्राथमिक विद्यालय, हेडलैंड सदा वास्को में पढ़ने वाली 7 वर्षीय बालिका पर हुए यौन हमले से सम्बंधित अपराध सं० 02/2013 में तथा उपर्युक्त उल्लिखित अपराधों से संबंधित या उनसे सम्बद्ध अपराधों में किए गए प्रयासों, दुष्प्रेरणाओं और षडयंत्रों तथा उसी संव्यवहार में किए गए या उन्ही तथ्यों से उत्पन्न किसी अन्य अपराध या अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त गोवा राज्य के सम्बन्ध में करती है।

[सं. 228/45/2013-ए वी डी-II]

राजीव जैन, अवर सचिव,

New Delhi, the 20th August, 2013

S.O. 1854.—In exercise of the powers conferred by Sub-Section (1) of Section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government with the consent of the State Government of Goa, Department of Home (General) Secretariat, Goa *vide* Notification No. 27/20/2013-HD(G)/1829 dated 5th June 2013, hereby extends powers and Jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Goa for investigation of Crime No. 02/2013 under sections, 201, 376 and 447 of the Indian Penal Code, 1860 (Act No. 45 of 1860), section 8(2) of the Goa Children Act, 2003 (Goa Act No. 18 of 2003) and section 3(a) punishable under section 4 of the Protection of Children from Sexual Offences Act, 2012 (Act No. 32 of 2012) registered at Police Station Mormugao, Vasco, Goa relating to the incident of sexual assault of seven years old girl studying in Deepvihar Primary School, Headland Sada Vasco and attempts, abetments and conspiracies in relation to or in connection with the above mentioned offences and any other offence of offences committed in the course of the same transaction of arising out of the same facts.

[No. 228/45/2013-AVD-II]

RAJIV JAIN, Under Secy.

नई दिल्ली, 20 अगस्त, 2013

का०आ० 1855.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली विशेष पुलिस स्थापना द्वारा अन्वेषण करने हेतु, निम्नोक्त अपराधों को विनिर्दिष्ट करती है, नामतः—

(क) लैंगिक अपराधों से बालकों का संरक्षण अधिनियम, 2012 (2012 का अधिनियम सं० 32) के अंतर्गत दंडनीय अपराधों; तथा

(ख) उपर्युक्त उल्लिखित अपराधों से संबंधित या उनसे सम्बद्ध अपराधों में किए गए प्रयासों, दुष्प्रेरणाओं और षडयंत्रों तथा उसी संव्यवहार में किए गए या उन्ही तथ्यों से उत्पन्न किसी अन्य अपराध या अपराधों।

[सं. 228/45/2013-एवीडी-II]

राजीव जैन, अवर सचिव

New Delhi, the 20th August, 2013

S.O. 1855.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government hereby specifies the following offences to be investigated by the Delhi special Police Establishment namely:—

(a) Offences punishable under the Protection of Children from Sexual Offences Act, 2012 (Act No. 32 of 2012); and

(b) Attempts, abetments and conspiracies in relation to or in connection with the above mentioned offence and any other offence or offences committed in course of the same transaction or arising out of the same facts.

[No. 228/45/2013-AVD-II]

RAJIV JAIN, Under Secy.

नई दिल्ली, 22 अगस्त, 2013

का०आ० 1856.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम संख्या 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उत्तर प्रदेश राज्य सरकार, गृह विभाग, लखनऊ की दिनांक 23 जुलाई, 2013 की अधिसूचना सं० 1673/6-पीयू-12-13-2(34)/डी/13 द्वारा प्राप्त सहमति से भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं० 45) के तहत धारा 302 के अधीन पुलिस स्टेशन, न्यू आगरा, जिला-आगरा (उत्तर प्रदेश) में पंजीकृत अपराध मामला सं० 267/2013 में सुश्री नेहा शर्मा का

नैनो बाँयो-टेक्नॉलॉजी लेबोरेट्री दयालबाग एजुकेशन इंस्टिट्यूट, दयालबाग, आगरा की हत्या से संबंधित उल्लिखित या उससे सम्बद्ध अपराधों में किए गए प्रयासों, दुष्प्रेरणाओं और षडयंत्रों तथा उसी संव्यवहार में किए गए या उन्ही तथ्यों से उत्पन्न किसी अन्य अपराध या अपराधों का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त उत्तर प्रदेश राज्य के सम्बन्ध में करती है।

[सं 228/52/2013-एवीडी-II]
राजीव जैन, अवर सचिव

New Delhi, the 22nd August, 2013

S.O. 1856.—In exercise of the powers conferred by Sub-Section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946) the Central Government with the

consent of the State Government of Uttar Pradesh, Home Department, Lucknow *vide* Notification No. 1673 /6-Pu-12-13-2(34)D/13 dated 23rd July 2013, hereby extends powers and Jurisdiction of the members of the Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for investigation of case Crime No. 267/2013 under sections, 302 of the Indian Penal Code, 1860 (Act No. 45 of 1860), registered at Police Station New Agra District Agra (Uttar Pradesh) relating to murder of Miss Neha Sharma at Nano Bio-Technology Laboratory of the Dayalbagh Education Institute, Dayalbagh, Agra and attempt, abetment and conspiracy in relation to or in connection with the above mentioned offences and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/52/2013-AVD-II]
RAJIV JAIN, Under Secy.

नई दिल्ली, 23 अगस्त, 2013

कांआ 1857.—केन्द्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए त्रिपुरा राज्य सरकार, गृह विभाग, अगरतला की दिनांक 12 मई, 2013 की अधिसूचना सं एफ-21(52)-पीडी/सीबीआई/2013 द्वारा प्राप्त सहमति से निम्नलिखित अपराधों, अर्थात:—

क्रम मामला सं सं	कानून की धारा	बनाम	पुलिस थाने का नाम
1 52/11	भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं 45) की धारा 34, 406 एवं 420 के अधीन	आरओसी, शिलाँग द्वारा पंजीकृत डैफोडिल्स असोसिएट लिमिटेड, जी०एस० रोड, उलुबारी, गुवाहाटी-07	पुलिस थाना धरमनगर
2 90/12	भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं 45) की धारा 34, 406 एवं 420 के साथ जुड़ी त्रिपुरा जमाकर्ता हित संरक्षण (वित्तीय प्रतिष्ठानों में) विधेयक, 2000 की धारा 3 तथा संशोधन विधेयक, 2011 की धारा 3-ए के अधीन	आरओसी, शिलाँग द्वारा पंजीकृत प्रगति शील इंफ्रा प्रोजेक्ट्स एंड सर्विसेज लिमिटेड, कालियाशहर	पुलिस थाना कालियाशहर
3 574/2012	भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं 45) की धारा 406, 417, 418 एवं 420 के अधीन	डा० बी०आर० अम्बेडकर रोड, थाना मोड़ शांतिपुर, नदिया, पश्चिम बंगाल स्थित आरओसी द्वारा पंजीकृत एमएपी एग्रो एनिमल्स प्रोजेक्ट्स लिमिटेड, उदयपुर शाखा, जिला गोमती	पुलिस थाना राधाकिशोरपुर
4 118/2013	भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं 45) की धारा 406 एवं 420 के अधीन	कोस्मिक नेगोशिएटर लिमिटेड, रामनगर रोड, सं 03, बट्टाला	पुलिस थाना पश्चिम अगरतला
5 14/2013	भारतीय दंड संहिता, 1860 (1860 का अधिनियम सं 45) की धारा 406 एवं 420 के अधीन	सेल्फ ट्रस्ट इंडस्ट्रीज़ लिमिटेड, धन चौमुहानी, रानीर बाजार	पुलिस थाना रानीर बाजार

तथा उपर्युक्त उल्लिखित अपराधों से संबंधित या उनसे सम्बद्ध अपराधों में किए गए प्रयासों, दुष्प्रेरणाओं और षड्यंत्रों तथा उसी संव्यवहार में किए गए या उन्ही तथ्यों से उत्पन्न किसी अन्य अपराध या अपराधों का

अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार सम्पूर्ण त्रिपुरा राज्य में करती है।

[सं 228/37/2013-एवीडी-II]

राजीव जैन, अवर सचिव

New Delhi, the 23rd August, 2013

S.O. 1857.—In exercise of the powers conferred by sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Tripura, Home Department, Agartala *vide* Notification No. F-21(52)-PD/CBI/2013 dated 12th May, 2013, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of the Tripura for investigation of offences *viz*:—

Sl. No.	Case No.	Section Laws	Against	Name of Police Station
1.	52/11	Under Sections 34, 406 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860).	Deffodils Associates Limited, G.S. Road, Ulubari, Guwahati - 07, registered with ROC, Shillong.	Police Station Dharamnagar.
2.	90/2	Under Sections 34, 406 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860) and added section 3 of Tripura Protection of Interests of Depositors (in Financial Establishments) Act, 2000 and section 3 -A Amendment Act, 2011.	Pragati Sheel Infra Projects and Services Limited, Kailashhar, registered with ROC, Shillong.	Police Station Kaliashahar.
3.	574/2012	Under sections 406, 417, 418 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860)	MAP Agro Animals Projects Limited, Udaipur Branch, Gomati District, registered with ROC at Dr. Ambedkar Road, Thana More Santipur Nadia, West Bengal.	Police Station Radhakishorepur
4.	118/2013	Under sections 406 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860)	Cosmic Negotiator Limited Ramnagar Road no. 03, Battala.	Police Station West Agartala.
5.	14/2013	Under sections 406 and 420 of the Indian Penal Code, 1860 (Act No. 45 of 1860)	Self Trust Industries limited, Dhan Choumuhani Ranirbazar.	Police Station Ranirbazar.

attempts, abetments and conspiracies in relation to or in connection with the above mentioned offences and any other offence or offences committed in course of the same transaction or arising out of the same facts.

[No. 228/37/2013-AVD-II]

RAJIV JAIN, Under Secy.

नई दिल्ली, 23 अगस्त, 2013

का०आ० 1858.—केंद्रीय सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं० 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली विशेष पुलिस स्थापना को निम्नलिखित अपराधों का अन्वेषण करने हेतु विनिर्दिष्ट करती है:—

- (क) त्रिपुरा जमाकर्ता हित संरक्षण (वित्तीय प्रतिष्ठान में) विधेयक, 2000 (2000 का अधिनियम संख्या 6) यथा संशोधित त्रिपुरा अधिनियम, 2011 (2011 का अधिनियम संख्या 4) के अंतर्गत दंडनीय अपराध तथा
- (ख) उपर्युक्त उल्लिखित अपराधों से संबंधित या उनसे सम्बद्ध अपराधों में किए गए प्रयासों, दुष्प्रेरणाओं और षड्यंत्रों तथा उसी संव्यवहार में किए गए या उन्ही तथ्यों से उत्पन्न किसी अन्य अपराध या अपराधों में।

[सं 228/37/2013-एवीडी-II]

राजीव जैन, अवर सचिव

New Delhi, the 23rd August, 2013

S.O. 1858.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government hereby specifies the following offences to be investigated by the Delhi Special Police Establishment namely:—

(a) Offences punishable under the Tripura Protection of Interests of Depositors (In financial Establishments) Act, 2000 (Act No. 6 of 2000) as amended by the Tripura Act, 2011 (Act No. 4 of 2011) and

(b) Attempts, abetments and conspiracies in relation to or in connection with the above mentioned offence and any other offence or offences committed in course of the same transaction or arising out of the same facts.

[No. 228/37/2013-AVD-II]
RAJIV JAIN, Under Secy.

नई दिल्ली, 26 अगस्त, 2013

का०आ० 1859.—केन्द्रीय सरकार एतद् द्वारा आपराधिक प्रक्रिया संहिता 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उपधारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए श्री राजिन्दर सिंह चीमा, अधिवक्ता, देविन्दर पाल सिंह, अधिवक्ता सुश्री तरन्नुम, अधिवक्ता को सीबीआई केस आर०सी० 24(एस)/2005-एससीयू 1/नई दिल्ली (सेशन केस नं० 26/2010, सीबीआई बनाम सज्जन कुमार व अन्य) में तथा इससे संबंधित व आनुषंगिक मामलों में दिल्ली उच्च न्यायालय में आपराधिक अपील हेतु विशेष लोक अभियोजक नियुक्त करती है।

[सं० 225/42/2013-एवीडी-II]
राजीव जैन, अवर सचिव

New Delhi, the 26th August, 2013

S.O. 1859.—In exercise of the powers conferred by sub-section (8) of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints S/ Shri Rajinder Singh Cheema, Davinder Pal Singh and Ms. Tarannum Cheema, Advocates as Special Public Prosecutor for appearing in appeals arising out of RC. 24(S)/ 2005-SCU.I/New Delhi (Session Case No.26/2010, CBI Vs. Sajjan Kumar and others) in the Delhi High Court at New Delhi and any other matter connected therewith or incidental thereto.

[No. 225/42/2013-AVD-II]
RAJIV JAIN, Under Secy.

कार्यालय आयुक्त, केन्द्रीय उत्पाद शुल्क

चण्डीगढ़, 13 अगस्त, 2013

का०आ० 1860.—जबकि केन्द्रीय सरकार की यह राय है कि श्री विजय मोहन, निरीक्षक, श्री परमजीत सिंह संधु अधीक्षक (तदर्थ) तथा श्री टी०एस० रतन, अधीक्षक (सेवानिवृत्त) की विभागीय जांच के संबंध में यह आवश्यक है कि श्री अमनदीप सिंह सुपुत्र श्री गुरमेल सिंह मालिक मैसर्स ए०एस० इन्टरनेशनल हाउस, सेक्टर 32-ए, चण्डीगढ़ रोड, लुधियाना को गवाह के रूप में/किसी भी संबंधित दस्तावेज को प्रस्तुत करने के लिए समन किया जाए।

अतः अब केन्द्रीय सरकार (साक्षियों की उपस्थिति एवं दस्तावेजों का प्रस्तुतीकरण प्रवर्तन) अधिनियम, 1972 (1972 की धारा 18) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्वारा श्री अशोक कुमार शर्मा, सहायक आयुक्त, केन्द्रीय उत्पाद शुल्क आयुक्तालय, चण्डीगढ़-II को जांच अधिकारी के रूप में उक्त अधिनियम की धारा 5 में विनिर्दिष्ट शक्ति का प्रयोग करते हुये कथित गवाह को समन करने व उसकी उपस्थिति सुनिश्चित करने एवम् उसको शपथ देकर जांच करने के लिए प्राधिकृत करती है।

[सं. II-39 (24)/सत० सीएचडी/2010]
देवेन्द्र सिंह, आयुक्त

OFFICE OF THE COMMISSIONER, CENTRAL EXCISE

Chandigarh, the 13th August, 2013

S.O. 1860.—Whereas the Central Government is of opinion that for the purposes of the departmental inquiry relating to Sh. Vijay Mohan, inspector; Sh. Paramjit Singh Sandhu, Superintendent (Ad-hoc) and Sh. T.S. Rattan, Superintendent (Retd.) it is necessary to summon as witness/call for any documents from Sh. Amandeep Singh S/O Sh. Gurmail Singh, Prop. of M/s A.S. International House, Sector 32A, Chandigarh Road, Ludhiana.

Now therefore, in exercise of the power conferred by sub-section (1) of Section 4 of the Departmental Inquiries (Enforcement of Attendance of Witnesses and production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorizes Sh. Ashok Kumar Sharma, Assistant Commissioner, Central Excise Commissionerate, Chandigarh-II as the inquiring authority to exercise the power specified in Section 5 of the said Act in relation to the summoning and enforcing the attendance of the said witness and examining him on oath.

[No. II-39(24)/Vig.CHD/2010]
DEVENDRA SINGH, Commissioner

वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

नई दिल्ली, 14 अगस्त, 2013

का.आ. 1861.—भारतीय स्टेट बैंक (समनुषंगी बैंक) अधिनियम, 1959 की धारा 26 की उप-धारा (2क) के साथ पठित धारा 25 की उप-धारा (1) के खण्ड (ग क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, स्टेट बैंक आफ मैसूर के सिंगल विंडो ऑपरेटर-सी श्री आर. राघवेन्द्र (जन्म तिथि: 16.01.1957) को दिनांक 31.08.2013 को या इसके पश्चात् उनके द्वारा पद का कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा स्टेट बैंक आफ मैसूर के कर्मकार कर्मचारी के रूप में उनके पद पर बने रहने तक अथवा आगामी आदेशों तक, इनमें से जो भी पहले हो, स्टेट बैंक आफ मैसूर के निदेशक मण्डल में कर्मकार कर्मचारी निदेशक नियुक्त करती है।

[सं. 6/6/2013-बीओ-1]

विजय मल्होत्रा, अवर सचिव

MINISTRY OF FINANCE

(Department of Financial Services)

New Delhi, the 14th August, 2013

S.O. 1861.—In pursuance of the clause (ca) of sub-section (1) of Section 25 read with sub-section (2A) of Section 26 of the State Bank of India (Subsidiary Banks) Act, 1959, the Central Government hereby appoints Shri R. Raghavendra (Date of birth 16.01.1957), Single Window Operator-C, State Bank of Mysore as Workmen Employee Director, on the Board of Directors of State Bank of Mysore, for a period of three years from the date of his taking over the charge of the post on or after 31.08.2013 or till he ceases to be a Workmen Employee of State Bank of Mysore, or until further orders, whichever is the earliest

[No. 6/6/2013-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 19 अगस्त, 2013

का.आ. 1862.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 3 के उप-खंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा 3(ज) और (3-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री संजीव जैन (जन्म तिथि 23.01.1968) को उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्ष की अवधि के लिए अथवा अगले आदेशों तक, जो भी पहले हो, बैंक आफ महाराष्ट्र के निदेशक मण्डल में अंश-कालिक गैर-सरकारी निदेशक नामित करती है।

[सं. 6/33/2011-बीओ-1]

विजय मल्होत्रा, अवर सचिव

New Delhi, the 19th August, 2013

S.O. 1862.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 of The Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby nominates Shri Sanjeev Jain (DoB: 23.01.1968) as part-time non-official director on the Board of Directors of Bank of Maharashtra for a period of three years, from the date of notification of his appointment or until further orders, whichever is earlier.

[No. 6/33/2011-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 16 अगस्त, 2013

का.आ. 1863.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 9 के उप-खंड (1) और (2) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा (3) के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री विजया बैंक के लिपिक-सह-टंकक श्री वाई. मुरली कृष्णा (जन्म तिथि 15.03.1959) को दिनांक 02.11.2013 को या इसके पश्चात् उनके द्वारा पद का कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा विजया बैंक में उनके कर्मकार कर्मचारी के पद पर बने रहने तक अथवा अगले आदेशों तक, इनमें से जो भी पहले हो, विजया बैंक के निदेशक मण्डल में कर्मकार कर्मचारी निदेशक नियुक्त करती है।

[सं. 6/10/2013-बीओ-1]

विजय मल्होत्रा, अवर सचिव

New Delhi, the 16th August, 2013

S.O. 1863.—In exercise of the powers conferred by clause (e) of Sub-section 3 of Section 9 of The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) & (2) of clause 9 of The Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby appoints Shri Y. Murali Krishna (Date of Birth: 15.03.1959), Clerk-cum-Typist, Vijaya Bank as Workmen Employee Director on the Board of Directors of Vijaya Bank for a period of three years with effect from the date of his taking over the charge of the post on or after 02.11.2013 or until he ceases to be an Workmen Employee of Vijaya Bank, or until further orders, whichever is the earliest.

[No. 6/10/2013-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 29 अगस्त, 2013

का०आ० 1864.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 9 के उप-खंड (1) और (2) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा (3) के खंड (ड) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, श्री सिंडिकेट बैंक के लिपिक श्री शंकरन भास्कर अय्यर (जन्म तिथि 25.06.1963) को दिनांक 31.08.2013 को या इसके पश्चात् उनके द्वारा पद का कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा सिंडिकेट बैंक में उनके कर्मकार कर्मचारी के पद पर बने रहने तक अथवा अगले आदर्शों तक, इनमें से जो भी पहले हो, सिंडिकेट बैंक के निदेशक मण्डल में कर्मकार कर्मचारी निदेशक नियुक्त करती है।

[सं० 6/9/2013-बीओ-1]

विजय मल्होत्रा, अवर सचिव,

New Delhi, the 29th August, 2013

S.O. 1864.—In exercise of the powers conferred by clause (e) of Sub-section 3 of Section 9 of The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) & (2) of clause 9 of The Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby appoints Shri Sankaran Bhaskar Iyer (Date of Birth: 25.06.1963), Clerk, Syndicate Bank as Workmen Employee Director on the Board of Directors of Syndicate Bank for a period of three years with effect from the date of his taking over the charge of the post on or after 31.08.2013 or until he ceases to be an Workmen Employee of Syndicate Bank, or until further orders, whichever is the earliest.

[No. 6/9/2013-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 29 अगस्त, 2013

का०आ० 1865.—भारतीय स्टेट बैंक अधिनियम, 1955 (1955 का 23) की धारा 19 के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक के परामर्श से एतद्द्वारा, श्री त्रिभुवन नाथ चतुर्वेदी (जन्म तिथि 15.01.1959) उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्ष की अवधि के लिए अथवा अगले आदर्शों तक, जो भी पहले हो, भारतीय स्टेट बैंक के केन्द्रीय निदेशक मण्डल में अंशकालिक गैर-सरकारी निदेशक के रूप में नामित करती है।

[सं० 6/30/2013-बीओ-1]

विजय मल्होत्रा, अवर सचिव

New Delhi, the 29th August, 2013

S.O. 1865.—In exercise of the powers conferred by clause (d) of Section 19 of The State Bank of India Act, 1955 (23 of 1955), the Central Government, in consultation with Reserve Bank of India, hereby nominates Shri Tribhuwan Nath Chaturvedi (DoB: 15.01.1959), as part-time Non-official Director on the Central Board of Directors of State Bank of India, for a period of three years with effect from the date of notification of his appointment or until further orders, whichever is earlier.

[No. 6/30/2013-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 29 अगस्त, 2013

का०आ० 1866.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 3 के उप-खंड (1) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा 3(ज) और (3-क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्वारा, श्री अजय शुक्ला (जन्म तिथि 01.01.1959) को उनकी नियुक्ति की अधिसूचना की तारीख से तीन वर्षों की अवधि के लिए अथवा अगले आदर्शों तक, जो भी पहले हो, इलाहाबाद बैंक के निदेशक मण्डल में अंशकालिक गैर-सरकारी निदेशक के रूप में नियुक्त करती है।

[सं० 6/14/2013-बीओ-1]

विजय मल्होत्रा, अवर सचिव

New Delhi, the 29th August, 2013

S.O. 1866.—In exercise of the powers conferred by sub-section 3(h) and (3-A) of Section 9 of The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with sub-clause (1) of clause 3 of the Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby nominates Shri Ajay Shukla (DoB: 01.01.1959), as part-time Non-official Director on the Board of Directors of Allahabad Bank for a period of three years, from the date of notification of his appointment or until further orders, whichever is earlier.

[No. 6/14/2013-BO-I]

VIJAY MALHOTRA, Under Secy.

नई दिल्ली, 29 अगस्त, 2013

का०आ० 1867.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970/1980 के खंड 9 के उप-खंड (1) और (2) के साथ पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970/1980 की धारा 9 की उप-धारा (3) के खंड (ड)

द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, इलाहाबाद बैंक के विशेष सहायक श्री योगेश्वर प्रसाद सिंह (जन्म तिथि 20.11.1956) को उनके द्वारा पद का कार्यभार ग्रहण करने की तारीख से तीन वर्ष की अवधि के लिए अथवा इलाहाबाद बैंक में उनके कर्मकार कर्मचारी के पद पर बने रहने तक अथवा अगले आदेशों तक, इनमें से जो भी पहले हो, इलाहाबाद बैंक के निदेशक मण्डल में कर्मकार कर्मचारी निदेशक नियुक्त करती है।

[सं० 6/7/2013-बीओ-1]
विजय मल्होत्रा, अवर सचिव,

New Delhi, the 29th August, 2013

S.O. 1867.—In exercise of the powers conferred by clause (e) of Sub-section 3 of Section 9 of The Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970/1980 read with Sub-clause (1) & (2) of Clause 9 of the Nationalized Banks (Management and Miscellaneous Provisions) Scheme, 1970/1980, the Central Government hereby appoints Shri Yogeshwar Prasad Singh (Date of Birth: 20.11.1956), Special Assistant, Allahabad Bank as Workmen Employee Director on the Board of Directors of Allahabad Bank for a period of three years, with effect from the date of his taking over the charge of the post or until he ceases to be a Workmen Employee of Allahabad Bank or until further orders, whichever is earliest.

[No. 6/7/2013-BO-I]
VIJAY MALHOTRA, Under Secy.

संचार एवं सूचना प्रौद्योगिकी मंत्रालय

(डाक विभाग)

नई दिल्ली, 16 अगस्त, 2013

का०आ० 1868.—राजभाषा नियम (संघ के शासकीय प्रयोजनों के लिए प्रयोग), 1976 के नियम 10 के उप नियम (4) के अनुसरण में केन्द्र सरकार, डाक विभाग के अधीनस्थ कार्यालय मुख्य पोस्टमास्टर जनरल, केरल सर्किल, तिरुवनन्तपुरम-695033 के निम्नलिखित 04 कार्यालयों जिनके 80 प्रतिशत कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:—

1. अधीक्षक डाकघर कार्यालय, कण्णूर मंडल - 670001
2. अधीक्षक डाकघर कार्यालय, मावेलिककारा मंडल - 690101
3. अधीक्षक डाकघर कार्यालय, इरिज्जालकुंडा मंडल - 680121
4. अधीक्षक कार्यालय, रेल डाक सेवा 'सीटी' मंडल - 673032

[सं० 11017-1/2011-रा०भा०]

मीरा हाण्डा, उप महानिदेशक (फिलैटली/रा०भा०)

MINISTRY OF COMMUNICATION AND INFORMATION TECHNOLOGY

(Department of Posts)

New Delhi, the 16th August, 2013

S.O. 1868.—In pursuance of Rule 10(4) of the Official Language (use for official Purposes of the Union) Rule 1976, the Central Government hereby notifies following 04 offices of the Office of the Chief Postmaster General, Kerala Circle, Thiruvananthapuram-695033 of the Department of Posts were 80% staff has acquired the working knowledge of Hindi:—

1. O/o the Superintendent, of Post Offices, Kannur Division-670001
2. O/o the Superintendent, of Post Offices, Mavelikara Division-690101
3. O/o the Superintendent, of Post Offices, Iririjalakuda Division-680121
4. O/o the Superintendent, RMS 'CT' Division-673032

[No. 11017-1/2011-OL]

MEERA HANDA, Dy. Director General (Philately/OL)

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 29 अगस्त, 2013

का०आ० 1869.—केन्द्र सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में क्षेत्रीय प्रचार निदेशालय, पूर्वी ब्लॉक-IV, लेबल-III, आर०के० पुरम, नई दिल्ली (सूचना और प्रसारण मंत्रालय) के निम्नलिखित अधीनस्थ कार्यालयों, जिनके 80% से अधिक कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है:—

- (क) प्रादेशिक कार्यालय, कोलकाता
- (ख) क्षेत्रीय प्रचार कार्यालय, वर्धमान
- (ग) क्षेत्रीय प्रचार कार्यालय, बाकुरा
- (घ) क्षेत्रीय प्रचार कार्यालय, रानाघाट
- (ङ) क्षेत्रीय प्रचार कार्यालय, चुंचुरा
- (च) क्षेत्रीय प्रचार कार्यालय, पोर्ट ब्लेयर

(छ) क्षेत्रीय प्रचार कार्यालय, मेदिनीपुर

[सं ई-11017/6/2012-हिन्दी]
प्रियम्बदा, निदेशक (राभा)**MINISTRY OF INFORMATION AND
BROADCASTING**

New Delhi, the 29th August, 2013

S.O. 1869.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (Use for official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices under Directorate of Field Publicity, East Block-IV, R.K. Puram, New Delhi (Ministry of Information and Broadcasting) more than 80% of the staff whereof have acquired the working knowledge of Hindi:—

- (a) Regional Office, Kolkata
- (b) Field Publicity Office, Vardhman
- (c) Field Publicity Office, Bakura
- (d) Field Publicity Office, Ranaghat
- (e) Field Publicity Office, Chunchura
- (f) Field Publicity Office, Portblair
- (g) Field Publicity Office, Medinipur

[No. E-11017/6/2012-Hindi]

PRIYAMVADA, Director (O.L.)

स्वास्थ्य एवं परिवार कल्याण मंत्रालय

नई दिल्ली, 13 फरवरी, 2013

का०आ० 1870.—केन्द्र सरकार, दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय दंत चिकित्सा परिषद् से परामर्श करने के बाद, एतद्वारा उक्त अधिनियम की अनुसूची के भाग-I में

निम्नलिखित संशोधन करती हैं, अर्थात्:—

भोजिया डेंटल कॉलेज एंड अस्पताल, सोलन के लिए हिमाचल प्रदेश विश्वविद्यालय, शिमला द्वारा प्रदत्त दंत चिकित्सा डिग्रियों की मान्यता के संबंध में दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की अनुसूची के भाग-1 में, क्रम संख्या 52 के सामने कालम 2 एवं 3 की मौजूदा प्रविष्टियों में निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी:—

“मास्टर ऑफ डेंटल सर्जरी

प्रोस्थोडॉन्टिक्स एंड क्राउन एंड ब्रिज	एमडीएस (प्रोस्थो.),
(यदि 6.6.2012 को या उसके बाद प्रदान की गई)	हिमाचल प्रदेश विश्वविद्यालय, शिमला

[सं वी-12017/126/2005-डी ई०]
सूबे सिंह, उप सचिव**MINISTRY OF HEALTH AND FAMILY WELFARE**

New Delhi, the 13th February, 2013

S.O. 1870.—In exercise of the powers conferred by sub-section (2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consultation with Dental Council of India, hereby, makes the following amendments in Part-I of the Schedule to the said Act, namely:—

2. In the existing entries of column 2 & 3 against Serial No. 52, in Part-I of the Schedule to the Dentists Act, 1948 (16 of 1948) pertaining to recognition of dental degrees awarded by Himachal Pradesh University, Shimla, against Bhojia Dental College & Hospital, Solan, the following entries shall be inserted thereunder:—

“Master of Dental Surgery

—Prosthodontics and Crown & Bridge (if granted on or after 6.6.1012)	MDS, (Prosth.), Himachal Pradesh University, Shimla
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[No. V-12017/126/2005-DE]
SUBE SINGH, Dy. Secy.

(स्वास्थ्य एवं परिवार कल्याण विभाग)

नई दिल्ली, 23 जुलाई, 2013

का०आ० 1871.—केन्द्र सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद, उक्त अधिनियम की द्वितीय अनुसूची में एतद्वारा निम्नलिखित संशोधन करती हैं, नामतः :—

उक्त अनुसूची में “नेपाल” शीर्षक के तहत — “त्रिभुवन विश्वविद्यालय, नेपाल” के समक्ष, शीर्ष ‘उपाधि’ के तहत [इसके बाद जैसा कि कॉलम (2) में संदर्भित है], ‘डिप्लोमा में यथा उल्लिखित अर्हता की प्रकृति’ [इसके बाद जैसा कि कॉलम (3) में संदर्भित है] तथा “संक्षिप्ति” [इसके बाद जैसा कि कॉलम (4) में संदर्भित है], अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के पश्चात्, निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी, नामतः :—

(2)	(3)	(4)
“एमडी (आंतरिक आयुर्विज्ञान)”	“डॉक्टर ऑफ मेडिसिन (आंतरिक आयुर्विज्ञान)”	त्रिभुवन विश्वविद्यालय, नेपाल [आयुर्विज्ञान संस्थान, महाराजगंज, काठमांडु, नेपाल में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में त्रिभुवन विश्वविद्यालय, नेपाल द्वारा वर्ष 1997 में या इसके बाद प्रदान की गई यह अर्हता मान्यता प्राप्त होगी।]

सभी के लिए टिप्पणी:

1. प्रवेश की संख्या प्रतिवर्ष चार विद्यार्थियों तक सीमित कर दी गई है।
2. स्नातकोत्तर पाठ्यक्रम को प्रदान की गई ऐसी मान्यता की अधिकतम अवधि 5 वर्ष के लिए होगी जिसके उपरान्त इसका नवीकरण करना होगा।
3. उपखंड-4 की आवश्यकता के अनुसार मान्यता का समय पर नवीकरण न कराने के परिणामस्वरूप संबंधित स्नातकोत्तर पाठ्यक्रम में प्रवेश अनिवार्य रूप से बंद हो जाएंगे।

[सं वी-11015/1/2011-एमई-पी-I]

ध्रुव चक्रवर्ती, अवर सचिव

(Department of Health and Family Welfare)

New Delhi, the 23rd July, 2013

S.O. 1871.—In exercise of the powers conferred by sub-section (2) of the section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the Second Schedule to the said Act, namely:—

In the said Schedule under the heading "Nepal" — against "Tribhuvan University, Nepal", under the headings "Title" [hereinafter referred to as column (2)], 'Nature of qualifications as stated in diploma' [hereinafter referred to as column (3)] and "Abbreviation" [hereinafter referred to as column (4)], after the last entry and entry relating thereto the following shall be inserted, namely:—

(2)	(3)	(4)
"MD (Internal Medicine)"	"Doctor of Medicine (Internal Medicine)"	Tribhuvan University, Nepal [This shall be a recognized qualification when granted by Tribhuvan University, Nepal in respect of students being trained at Institute of Medicine, Maharaj Gunj, Kathmandu, Nepal on or after 1997]

Note to all: 1. The number of admissions are restricted to Four students per year.

2. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.

3. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. V-11015/1/2011-ME-P-I]
DHRUV CHAKRAVARTY, Under Secy.

नई दिल्ली, 23 जुलाई, 2013

का०आ० 1872.—केन्द्र सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद, उक्त अधिनियम की द्वितीय अनुसूची में एतद्वारा निम्नलिखित संशोधन करती हैं नामतः :—

उक्त अनुसूची में “नेपाल” शीर्षक के तहत — “त्रिभुवन विश्वविद्यालय, नेपाल” के समक्ष, शीर्ष ‘उपाधि’ के तहत [इसके बाद जैसा कि कॉलम (2) में संदर्भित है], ‘डिप्लोमा में यथा उल्लिखित अर्हता की प्रकृति’ [इसके बाद जैसा कि कॉलम (3) में संदर्भित है] तथा “संक्षिप्ति” [इसके बाद जैसा कि कॉलम (4) में संदर्भित है], अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के पश्चात्, निम्नलिखित प्रविष्टियाँ अंतःस्थापित की जाएंगी, नामतः :—

(2)	(3)	(4)
“एमडी (डीवीएल)”	“डॉक्टर ऑफ मेडिसिन (त्वचा विज्ञान एवं यौन रोग तथा कुष्ठ रोग विज्ञान)”	त्रिभुवन विश्वविद्यालय, नेपाल [आयुर्विज्ञान संस्थान, महाराजगंज, काठमांडु, नेपाल में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में त्रिभुवन विश्वविद्यालय, नेपाल द्वारा वर्ष 2007 में या इसके बाद प्रदान की गई यह अर्हता मान्यता प्राप्त होगी]

सभी के लिए टिप्पणी:

1. प्रवेश की संख्या प्रतिवर्ष चार विद्यार्थियों तक सीमित कर दी गई है।
2. स्नातकोत्तर पाठ्यक्रम को प्रदान की गई ऐसी मान्यता की अधिकतम अवधि 5 वर्ष के लिए होगी जिसके उपरान्त इसका नवीकरण कराना होगा।
3. उपखंड-4 की आवश्यकता के अनुसार मान्यता का समय पर नवीकरण न कराने के परिणामस्वरूप संबंधित स्नातकोत्तर पाठ्यक्रम में प्रवेश अनिवार्य रूप से बंद हो जाएंगे।

[सं वी-11015/1/2011-एमई-पी-I]
ध्रुव चक्रवर्ती, अवर सचिव

New Delhi, the 23rd July, 2013

S.O. 1872.—In exercise of the powers conferred by sub-section (2) of the section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the Second Schedule to the said Act, namely:—

In the said Schedule under the heading "Nepal" — against "Tribhuvan University, Nepal", under the headings "Title" [hereinafter referred to as column (2)], 'Nature of qualifications as stated in diploma' [hereinafter referred to as column (3)] and "Abbreviation" [hereinafter referred to as column (4)], after the last entry and entry relating thereto the following shall be inserted, namely:—

(2)	(3)	(4)
'MD(DVL)'	"Doctor of Medicine (Dermatology & Venereology and Leprosy)"	Tribhuvan University, Nepal [This shall be recognized qualification when granted by Tribhuvan University, Nepal in respect of students being trained at Institute of Medicine, Maharaj Gung, Kathmandu, Nepal on or after 2007]

- Note to all:
1. The number of admissions are restricted to Four students per year.
 2. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
 3. Failure to seek timely renewal of recognition as required in sub clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. V-11015/1/2011-ME-P-I]
DHRUV CHAKRAVARTY, Under Secy.

नई दिल्ली, 23 जुलाई, 2013

कांआ 1873.—केन्द्र सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद, उक्त अधिनियम की द्वितीय अनुसूची में एतद्वारा निम्नलिखित संशोधन करती हैं, नामतः :-

उक्त अनुसूची में “नेपाल” शीर्षक के तहत — “त्रिभुवन विश्वविद्यालय, नेपाल” के समक्ष, शीर्ष ‘उपाधि’ के तहत [इसके बाद जैसा कि कॉलम (2) में संदर्भित है], ‘डिप्लोमा में यथा उल्लिखित अर्हता की प्रकृति’ [इसके बाद जैसा कि कॉलम (3) में संदर्भित है] तथा “संक्षिप्त” [इसके बाद जैसा कि कॉलम (4) में संदर्भित है], अंतिम प्रविष्टि और उससे संबंधित प्रविष्टि के पश्चात्, निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी, नामतः :-

(2)	(3)	(4)
“एमएस (अस्थि विज्ञान)”	“मास्टर ऑफ सर्जरी (अस्थि विज्ञान)”	त्रिभुवन विश्वविद्यालय, नेपाल [आयुर्विज्ञान संस्थान, महाराजगंज, काठमांडु, नेपाल में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में त्रिभुवन विश्वविद्यालय, नेपाल द्वारा वर्ष 2001 में या इसके बाद प्रदान की गई यह अर्हता मान्यता प्राप्त होगी]

सभी के लिए टिप्पणी:

1. प्रवेश की संख्या प्रतिवर्ष चार विद्यार्थियों तक सीमित कर दी गई है।
2. स्नातकोत्तर पाठ्यक्रम को प्रदान की गई ऐसी मान्यता की अधिकतम अवधि 5 वर्ष के लिए होगी जिसके उपरांत इसका नवीकरण करना होगा।
3. उपखंड-4 की आवश्यकता के अनुसार मान्यता का समय पर नवीकरण न कराने के परिणामस्वरूप संबंधित स्नातकोत्तर पाठ्यक्रम में प्रवेश अनिवार्य रूप से बंद हो जाएंगे।

[सं वी-11015/1/2011-एमई-पी-I]
ध्रुव चक्रवर्ती, अवर सचिव

New Delhi, the 23rd July, 2013

S.O. 1873.—In exercise of the powers conferred by sub-section (2) of the section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the Second Schedule to the said Act, namely:—

In the said Schedule under the heading "Nepal" — against "Tribhuvan University, Nepal", under the headings "Title" [hereinafter referred to as column (2)], "Nature of qualifications as stated in diploma" [hereinafter referred to as column (3)] and "Abbreviation" [hereinafter referred to as column (4)], after the last entry and entry relating thereto the following shall be inserted, namely:—

(2)	(3)	(4)
"MD (Orthopaedics)"	"Master of Surgery (Orthopaedics)"	Tribhuvan University, Nepal [This shall be a recognized qualification when granted by Tribhuvan University, Nepal in respect of students being trained at Institute of Medicine, Maharaj Gunj, Kathmandu, Nepal on or after 2001]

- Note to all:
1. The number of admissions are restricted to Three students per year.
 2. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to renewed.
 3. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. V. 11015/1/2011-ME-P-I]
DHRUV CHAKRAVARTY, Under Secy.

नई दिल्ली, 23 जुलाई, 2013

का०आ० 1874.—केंद्र सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 12 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद, उक्त अधिनियम की द्वितीय अनुसूची में एतद्वारा निम्नलिखित संशोधन करती है नामतः :—

उक्त अनुसूची में “नेपाल” शीर्षक के तहत—“बी०पी० कोइराला स्वास्थ्य विज्ञान संस्थान, धरन, नेपाल” के समक्ष, शीर्ष ‘उपाधि’ के तहत [इसके बाद जैसा कि कॉलम (2) में संदर्भित है], ‘डिप्लोमा में यथा उल्लिखित अर्हता की प्रकृति’ [इसके बाद जैसा कि कॉलम (3) में संदर्भित है] तथा “संक्षिप्त” [इसके बाद जैसा कि कॉलम (4) में संदर्भित है], अंतिम प्रविष्टि और उससे सम्बंधित प्रविष्टि के पश्चात्, निम्नलिखित प्रविष्टियां अंतःस्थापित की जाएंगी, नामतः :—

(2)	(3)	(4)
“एमएस (ओबीजी)”	“मास्टर ऑफ सर्जरी (प्रसूति एवं स्त्री रोग विज्ञान)”	बी०पी० कोइराला स्वास्थ्य विज्ञान संस्थान, धरन, नेपाल [बी०पी० कोइराला स्वास्थ्य विज्ञान संस्थान, धरन, नेपाल में प्रशिक्षित किए जा रहे विद्यार्थियों के संबंध में बी०पी० कोइराला स्वास्थ्य विज्ञान संस्थान, धरन, नेपाल (सम विश्वविद्यालय) द्वारा वर्ष 2003 में या इसके बाद प्रदान की गई यह अर्हता मान्यता प्राप्त होगी]

सभी के लिए टिप्पणी:

1. प्रवेश की संख्या प्रतिवर्ष दो विद्यार्थियों तक सीमित कर दी गई है।
2. स्नातकोत्तर पाठ्यक्रम को प्रदान की गई ऐसी मान्यता की अधिकतम अवधि 5 वर्ष के लिए होगी जिसके उपरांत इसका नवीकरण कराना होगा।
3. उप-खंड (4) की आवश्यकता के अनुसार मान्यता का समय पर नवीकरण न कराने के परिणामस्वरूप संबंधित स्नातकोत्तर पाठ्यक्रम में प्रवेश अनिवार्य रूप से बंद हो जाएंगे।

[सं० वी-11015/1/2011-एमई-पी-I]
ध्रुव चक्रवर्ती, अवर सचिव

New Delhi, the 23rd July, 2013

S.O. 1874.—In exercise of the powers conferred by sub-section (2) of the section 12 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the Second Schedule to the said Act, namely:—

In the said Schedule under the heading "Nepal"—against "B.P. Koirala Institute of Health Sciences, Dharan, Nepal", under the headings "Title" [hereinafter referred to as column (2)], "Nature of qualifications as stated in diploma" {hereinafter referred to as column (3)} and "Abbreviation" [hereinafter referred to as column (4)], after the last entry and entry relating thereto, the following shall be inserted, namely:—

(2)	(3)	(4)
"MS (OBG)"	"Master of Surgery (Obstetrics & Gynecology)"	B.P. Koirala Institute of Health Sciences, Dharan, Nepal [This shall be a recognized qualification when granted by B.P. Koirala Institute of Health Sciences, Dharan, Nepal (Deemed University) in respect of students being trained at B.P. Koirala Institute of Health Sciences, Dharan, Nepal on or after 2003]

Note to all:

1. The number of admissions are restricted to Two students per year.
2. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.
3. Failure to seek timely renewal of recognition as required in sub-clause (4) shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No. V-11015/1/2011-ME-P-I]

DHRUV CHAKRAVARTY, Under Secy.

वाणिज्य और उद्योग मंत्रालय

(वाणिज्य विभाग)

नई दिल्ली, 27 अगस्त, 2013

का०आ० 1875.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 12 के साथ पठित, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एसजीएस इंडिया प्राइवेट लिमिटेड, द्वार सं० 45-56-351, 1 लेन, नरसिम्हा नगर, एनएच-5 विशाखापत्तनम-530 024, आन्ध्र प्रदेश, भारत में इस अधिसूचना के प्रकाशन की तारीख से तीन वर्ष की अवधि के लिए भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना संख्यांक का०आ० 3975 तारीख 20 दिसम्बर, 1965 और का०आ० 3978 तारीख 20 दिसम्बर, 1965 से उपाबद्ध अनुसूची में विनिर्दिष्ट समूह-I खनिजों और अयस्कों अर्थात् लौह अयस्क, फ़ैरोमैंगनीज और समूह-II फ़ैल्डस्पार का निम्नलिखित शर्तों के अधीन रहते हुए, उक्त, खनिजों और अयस्कों का विशाखापत्तनम में, निर्यात से पूर्व निरीक्षण करने के लिए एक अभिकरण के रूप में मान्यता प्रदान करती है, अर्थात्:—

- (i) मैसर्स एसजीएस इंडिया प्राइवेट लिमिटेड, द्वार सं० 45-56-351, 1 लेन, नरसिम्हा नगर, एनएच-5 विशाखापत्तनम-530 024, आन्ध्र प्रदेश, खनिज और अयस्क, समूह-I का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 और खनिज और अयस्क, समूह-II का निर्यात (निरीक्षण) नियम, 1965 के नियम 4 के अधीन निरीक्षण करने के लिए उनके द्वारा अपनाई गई निरीक्षण की पद्धति की जांच करने के लिए इस निमित्त निर्यात निरीक्षण परिषद् द्वारा नामनिर्दिष्ट अधिकारियों को पर्याप्त सुविधाएं देगी; और

- (ii) मैसर्स एसजीएस इंडिया प्राइवेट लिमिटेड, द्वार सं० 45-56-351, 1 लेन, नरसिम्हा नगर, एनएच-5 विशाखापत्तनम-530 024, आन्ध्र प्रदेश, इस अधिसूचना के अधीन अपने कृत्यों के पालन में निदेशक (निरीक्षण और क्वालिटी नियंत्रण) द्वारा समय-समय पर लिखित में दिए गए निदेशों से आबद्ध होंगे।

[सं० 4/7/2013-निर्यात निरीक्षण]

ए० के० त्रिपाठी, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY**(Department of Commerce)**

New Delhi, the 27th August, 2013

S.O. 1875.—In exercise of the powers conferred by sub-section (1) of Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), read with sub-rule (2) of rule 12 of the Export (Quality Control and Inspection) Rules, 1964 the Central Government hereby recognizes M/s SGS India Private Limited, Door No. 45-56-3/5/1, I Lane, Narsimha Nagar, NH-5, Visakhapatnam-530 024, A.P., India as an agency for a period of three years from the date of publication of this notification, for the inspection of Minerals and Ores Group I namely Iron ores, Ferro Manganese and Group II Feldspar, specified in the schedule annexed to the notification of the Government of India in the Ministry of Commerce number S.O. 3975, dated the 20th December, 1965, and S.O. 3978, dated the 20th December, 1965 respectively, prior to export of the said Minerals and Ores at Vishakhapatnam and Gangavaram subject to the following conditions, namely:—

- (i) That M/s SGS India Private Limited, Door No. 45-56-3/5/1, I Lane, Narsimha Nagar, NH-5, Visakhapatnam-530 024, A.P., shall give adequate facilities to the officers nominated by the Export Inspection Council in this behalf to examine the method of inspection followed by them in carrying out the inspection under the rule 4 of the Export of Minerals and Ores, Group-I (Inspection) Rules, 1965 and the Export of Minerals and Ores, Group-II (Inspection) Rules, 1965 and;
- (ii) that M/s. SGS India Private Limited, Door No. 45-56-3/5/1, I Lane, Narsimha Nagar, NH-5, Visakhapatnam-530 024, A.P., in the performance of their function under this notification shall be bound by such directions as the Director (Inspection and Quality Control), Export Inspection Council may give in writing from time to time.

[No. 4/7/2013-Export Inspection]

A. K. TRIPATHY, J. Secy.

कृषि मंत्रालय

(कृषि अनुसंधान एवं शिक्षा विभाग)

नई दिल्ली, 5 जुलाई, 2013

का०आ० 1876.—लोक-परिसर 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों (अनधिकृत अधिभोक्ता को निकालना) को लागू करने में केन्द्र सरकार निम्न तालिका के कालम (2) में उल्लिखित अधिकारियों जो सरकार के राजपत्रित अधिकारियों के रैंक के समतुल्य अधिकारी हैं, को उक्त अधिनियम के तहत कार्य संपादन के लिए संपदा अधिकारी नियुक्त करती है जो उक्त अधिनियम के तहत संपदा अधिकारियों को प्रदत्त शक्तियों का उपयोग कर सकेंगे तथा सौंपे गये कार्यों को करेंगे जो उनके संबंधित क्षेत्राधिकार की स्थानीय सीमा में नीचे दी गयी तालिका के कालम (3) की संगत प्रविष्टि में दिये गये लोक-परिसर के संबंध में हैं।

तालिका

क्रम सं०	अधिकारी का नाम व पदनाम	दर्शाये गये राज्यों के अनुसार स्थानीय सीमाएं
1.	श्री बी०के० सिन्हा, वरिष्ठ प्रशासनिक अधिकारी, केन्द्रीय चावल अनुसंधान संस्थान, कटक	उड़ीसा, बिहार, झारखण्ड, पश्चिम बंगाल, सिक्किम, मेघालय, असम, अरुणाचल प्रदेश, नागालैंड, मणिपुर, मिजोरम, त्रिपुरा, अंडमान निकोबार द्वीप समूह।
2.	श्री एम०बी० खुब्डीकर, वरिष्ठ प्रशासनिक अधिकारी, केन्द्रीय मात्स्यिकी शिक्षा संस्थान, मुम्बई	महाराष्ट्र, गोवा, गुजरात, मध्य प्रदेश, राजस्थान, छत्तीसगढ़, दमन व दीव।

क्रम सं०	अधिकारी का नाम व पदनाम	दर्शाये गये राज्यों के अनुसार स्थानीय सीमाएं
3.	श्री एस०के० गजमोती, वरिष्ठ प्रशासनिक अधिकारी, भारतीय कृषि अनुसंधान संस्थान, पूसा, नई दिल्ली	उत्तर प्रदेश, दिल्ली, हरियाणा, पंजाब, जम्मू एंड कश्मीर, हिमाचल प्रदेश, चण्डीगढ़, एवं उत्तराखण्ड।
4.	श्री चार्ल्स इक्का, वरिष्ठ प्रशासनिक अधिकारी, भारतीय बागवानी अनुसंधान संस्थान, बंगलुरु	तमिलनाडु, केरल, आन्ध्र प्रदेश, पाण्डिचेरी, दादरा एवं नागर हवेली, कर्नाटक, लक्षद्वीप।

[मि०सं० 15(15) 2010-ई एण्ड एम]

रेखा आनंद, अवर सचिव,

MINISTRY OF AGRICULTURE**(Department of Agricultural Research and Education)**

New Delhi, the 5th July, 2013

S.O. 1876.—In exercise of powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) the Central Government hereby appoints the following officers mentioned in column (2) of the Table, being the officers equivalent to the rank of Gazetted Officer of the Government, to be Estate Officers for the purpose under the said Act, who shall exercise the powers conferred, and perform the duties imposed, on the Estate Officers by or under the said Act, within the local limits of their respective jurisdiction, in respect of the public premises specified in the corresponding entry in column (3) of the Table below:

TABLE

S.No.	Name and Designation of the Officer	Local limits as per States indicated
1.	Shri B.K. Sinha, Sr. Admn. Officer, Central Rice Research Institute, Cuttack.	Odisha, Bihar, Jharkhand, West Bengal, Sikkim, Meghalaya, Assam, Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, A&N Islands
2.	Sh. M.B. Khubdikar, Sr. Admn. Officer, Central Institute of Fisheries Education, Mumbai.	Maharashtra, Goa, Gujarat, Madhya Pradesh, Rajasthan, Chhattisgarh, Daman and Diu.
3.	Sh. S.K. Gajmoti, Sr. Admn. Officer, Indian Agricultural Research Institute, Pusa, New Delhi.	Uttar Pradesh, Delhi, Haryana, Punjab, Jammu and Kashmir, Himachal Pradesh, Chandigarh and Uttrakhand.
4.	Sh. Charles Ekka, Sr. Admn. Officer, Indian Institute of Horticultural Research, Bengaluru.	Tamil Nadu, Kerala, Andhra Pradesh, Pondicherry, Dadra and Nagar Haveli, Karnataka, Lakshadweep.

[No. 15(15) 2010-E&M]

Rekha Anand, Under Secy.

रसायन और उर्वरक मंत्रालय

(उर्वरक विभाग)

नई दिल्ली, 20 अगस्त, 2013

अधिसूचना

का०आ० 1877.—लोक परिसर (अनधिकृत निवासियों का निष्कासन) अधिनियम, 1971 की धारा 3 में दी गई शक्तियों का प्रयोग करते हुए केंद्र सरकार एतद्वारा हिंदुस्तान फर्टिलाइजर्स कारपोरेशन लिमिटेड की दुर्गापुर इकाई के प्रभारी को उक्त अधिनियम हेतु संपदा अधिकारी के रूप में

नियुक्त करती है, जो दी गई शक्तियों का प्रयोग करेंगे और उक्त अधिनियम द्वारा अथवा इसके अंतर्गत संपदा अधिकारी को सौंपे जाने वाले कार्यभार का निर्वाह करेंगे।

[सं० 76/01/2005 मा०सं०-I]
कुलवंत राणा, अवर सचिव (मा०सं०-I)

MINISTRY OF CHEMICAL AND FERTILIZERS

(Department of Fertilizers)

New Delhi, the 20th August, 2013

S.O. 1877.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, the Central Government hereby appoints the In-charge, Durgapur Unit of Hindustan Fertilizers Corporation Limited as Estate Officer of the Unit for the purpose of the said Act, who shall exercise the powers conferred, and perform the duties imposed on Estate Officer by or under the said Act.

[No. 76/01/2005-HR-I]
KULWANT RANA, Under Secy. (HR-I)

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

नई दिल्ली, 12 अगस्त, 2013

का०आ० 1878.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार पर करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट तथा माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए सी एम ई आटोमेशन प्रा० लि०, प्लॉट नं० 18 के, लाइट इंडस्ट्रियल एरिया, भिलाई-490026 छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'ए डब्ल्यू बी' शृंखला के अस्वचालित अंकक सूचन सहित तोलन उपकरण (वेब्रिज टाइप) के मॉडल का, जिसके ब्राण्ड का नाम 'ए सी एम ई' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/06/396 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

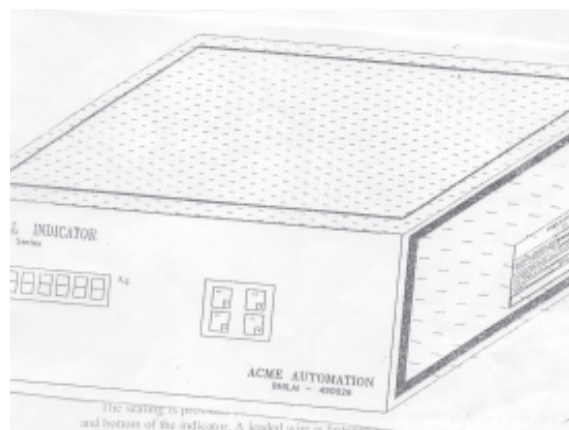
उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम

क्षमता 40,000 किलो ग्राम और न्यूनतम क्षमता 100 किलो ग्राम है 20,000 कि०ग्रा० से कम क्षमता के लिए सत्यापन मापमान अंतराल (ई) 5 कि० ग्रा० है जबकि 20,000 से 40,000 कि०ग्रा० क्षमता के लिए सत्यापन मापमान अंतराल (ई) 10 कि०ग्रा० है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-मॉडल



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम



इंडिकेटर के नीचे और ऊपर छेद करके, इंडिकेटर के पीछे की बायीं तरफ से सीलिंग की जाती है इन छेदों में लीड तार बांधी जाती है। उपकरण को सील के साथ छेड़छाड़ किये बिना खोला नहीं जा सकता। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता

द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 किलो ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[सं डब्ल्यू एम-21(96)/2006]
बी० एन० दीक्षित, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

New Delhi, the 12th August, 2013

S.O. 1878.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Weighbridge Type) with digital indication of "AWB" series of medium accuracy (Accuracy class-III) and with brand name "ACME" (herein referred to as the said model), manufactured by M/s ACME Automation Pvt. Ltd., Plot No. 18 K, Light Industrial Area, Bhilai-490026, Chhattisgarh and which is assigned the approval mark IND/09/06/396;

The said model (see the figure below) is a load cell based weighing instrument with a maximum capacity of 40000 kg and minimum capacity of 100 kg. The verification scale interval (e) is 5 kg for capacities less than 20,000 kg; and for capacities between 20,000 kg and 40,000 kg, the verification scale interval is 10 kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure 1: Model Indicator



Figure 2 : Platform

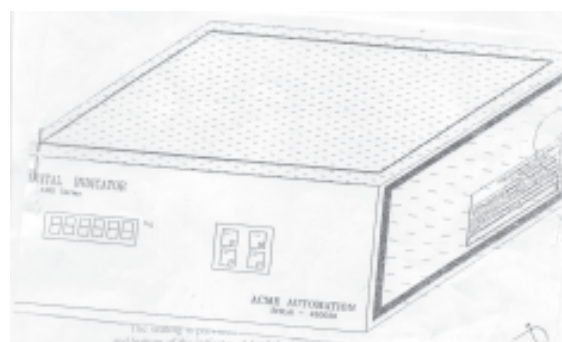


Figure 3: Schematic diagram of sealing provision

The sealing is provided on the rear left side of the indicator by making a hole each on top and bottom of the indicator. A leaded wire is fastened to these holes. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10000 for 'e' value 5 kg or more and with 'e' value of the form $1 \times 10k$, $2 \times 10k$ or $5 \times 10k$, where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[No. WM-21(96)/2006]

B. N. DIXIT, Director of Legal Metrology

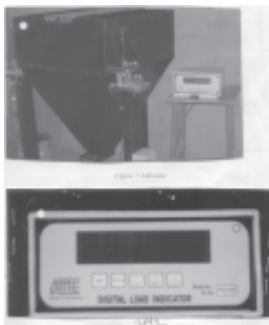
नई दिल्ली, 12 अगस्त, 2013

का०आ० 1879.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार पर करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट तथा माप मानक अधिनियम, 1976 (1976 का 60) और बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

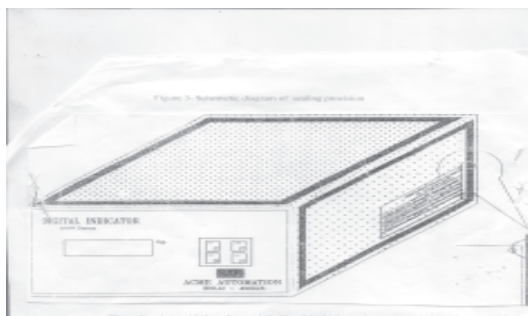
अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए सी एम ई आटोमेशन प्रा० लि० प्लॉट नं० 18 के, लाइट इंडस्ट्रियल एरिया, भिलाई-490026 छत्तीसगढ़ द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले 'ए एच डब्ल्यू श्रृंखला के अस्वचालित अंकक सूचना सहित तोलन उपकरण (हूपर/बिन वेइंग टाइप) के मॉडल का, जिसके ब्राण्ड का नाम 'ए सी एम ई' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/06/470 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सैल आधारित अस्वचालित तोलन उपकरण (हूपर/बिन वेइंग टाइप) है। इसकी अधिकतम क्षमता 200 किलो ग्राम है और न्यूनतम क्षमता 4 किलो ग्राम है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-मॉडल



मॉडल को सीलिंग करने के प्रावधान का योजनाबद्ध डायग्राम



इंडिकेटर के नीचे और ऊपर छेद करके, इंडिकेटर की पीछे की बायीं तरफ से सीलिंग की जाती है इन छेदों में लीड तार बांधी जाती है। उपकरण को सील के साथ छेड़छाड़ किये बिना खोला नहीं जा सकता। मॉडल के सीलिंग प्रावधान का स्कीमवार डायग्राम ऊपर दिया गया है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 किलो ग्राम से अधिक और 5000 किलो ग्राम तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^{\text{कै}}$, $2 \times 10^{\text{कै}}$ या $5 \times 10^{\text{कै}}$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[सं० डब्ल्यू एम-21 (96)/2006]

बी० एन० दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, 12th August, 2013

S.O. 1879.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (*see* the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Non-automatic weighing instrument (Hopper/Bin Weighing type) with digital indication of "AHW" series of medium accuracy (Accuracy class-III) and with brand name "ACME" (herein referred to as the said Model), manufactured by M/s ACME Automation Pvt. Ltd. Plot No. 18 K, Light Industrial Area, Bhilai-490026, Chhattisgarh and which is assigned the approval mark IND/09/06/470;

The said model is a load cell based Non-Automatic weighing instrument (Hopper/Bin Weighing type) with a maximum capacity of 200 kg and minimum capacity of 4kg. The verification scale interval (e) is 200 g. The light emitting diode (LED) indicates the weighing results. The instrument operates on 230 Volts. 50 Hertz alternative current power supply.

Figure 1 - Model (Hopper)

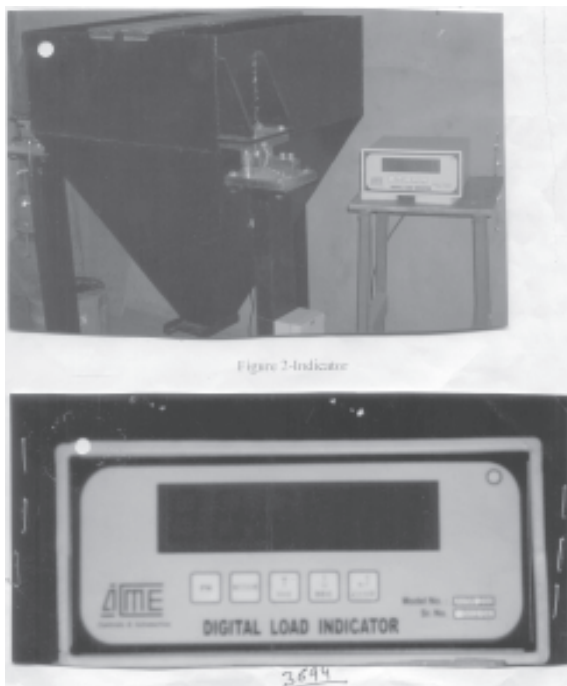
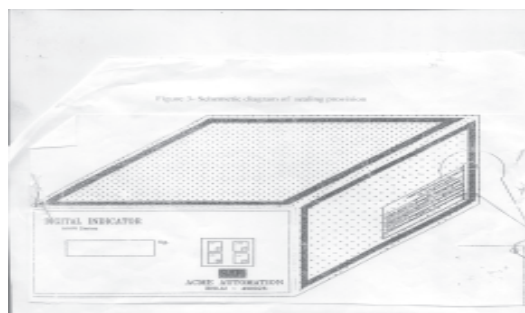


Figure 3 - Schematic diagram of sealing provision



The sealing is provided on the rear left side of the indicator by making a hole on top and bottom of the indicator. A leaded wire is fastened to these holes. The instrument can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by subsection (12) of section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacities between 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5 g or more and with 'e' value of 1 x 10k, 2 x 10k or 5 x 10k, where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[No. WM-21 (96)/2006]

B.N. DIXIT, Director of Legal Metrology

(भारतीय मानक ब्यूरो)

नई दिल्ली, 28 जून, 2013

का.आ. 1880.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक(कों) में संशोधन किया गया/किये गये हैं:

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक की संख्या और वर्ष	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आई एस 4031 (भाग 3) : 1988	संशोधन संख्या 2, जून 2013	30 जून 2013
2.	आई एस 4031 (भाग 4) : 1988	संशोधन संख्या 2, जून 2013	30 जून 2013

(1)	(2)	(3)	(4)
3.	आई एस 4031 (भाग 5): 1988	संशोधन संख्या 2, जून 2013	30 जून 2013
4.	आई एस 4031 (भाग 10): 1988	संशोधन संख्या 1, जून 2013	30 जून 2013
5.	आई एस 4031 (भाग 12): 1988	संशोधन संख्या 2, जून 2013	30 जून 2013
6.	आई एस 4031 (भाग 13): 1988	संशोधन संख्या 1, जून 2013	30 जून 2013
7.	आई एस 4031 (भाग 14): 1989	संशोधन संख्या 1, जून 2013	30 जून 2013
8.	आई एस 1727 : 1967	संशोधन संख्या 2, जून 2013	30 जून 2013

इन संशोधनों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफ़र मार्ग, नई दिल्ली 110002, क्षेत्रीय कार्यालयों : नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पुणे तथा कोची में बिक्री हेतु उपलब्ध हैं।

[संदर्भ सीईडी/राजपत्र]

संजय पंत, वैज्ञानिक 'ई' एवं प्रमुख (सिविल इंजीनियरी)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 28th June, 2013

S.O. 1880.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule below, have been issued:

SCHEDULE

Sl.No.	No. and year of the Indian Standards	No. and year of the amendments	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 4031 (Part 3): 1988	Amendment No. 2, June 2013	30 June 2013
2.	IS 4031 (Part 4): 1988	Amendment No. 2, June 2013	30 June 2013
3.	IS 4031 (Part 5): 1988	Amendment No. 2, June 2013	30 June 2013
4.	IS 4031 (Part 10): 1988	Amendment No. 1, June 2013	30 June 2013
5.	IS 4031 (Part 12): 1988	Amendment No. 2, June 2013	30 June 2013
6.	IS 4031 (Part 13): 1988	Amendment No. 1, June 2013	30 June 2013
7.	IS 4031 (Part 14): 1989	Amendment No. 1, June 2013	30 June 2013
8.	IS 1727 : 1967	Amendment No. 2, June 2013	30 June 2013

Copies of these amendments are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices at New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune & Kochi.

[Ref. CED/Gazette]

SANJAY PANT, Scientist, 'E' & Head (Civil Engg.)

नई दिल्ली, 31 जुलाई, 2013

का०आ० 1881.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
1.	आईएस 13024 : 2013 संश्लेष चर्मशोधक सिन्टैन आपक वनस्पति चर्म द्रव विशिष्टि (पहला पुनरीक्षण)	—	31 जुलाई 2013
2.	आईएस 16061 (भाग 1) : 2013/ आईएसओ 14687-1 : 1999 हाइड्रोजन ईंधन उत्पाद विशिष्टि भाग 1 सड़क पर वाहनों के लिए प्रोटोन एक्सचेंज मेम्ब्रेन (पीईएम) ईंधन कोशिकाओं को छोड़कर सभी उपयोग के लिए	—	31 जुलाई 2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली 110 002 क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

[संदर्भ सीएचडी 17/आईएस 13024 और सीएचडी 6/16061 (भाग 1)]

डा० राजीव के० झा, वैज्ञानिक 'एफ' एवं प्रमुख (रसायन)

New Delhi, the 31st July, 2013

S.O. 1881.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl.No.	No. & Year of the Indian Standard Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 13024 : 2013 Syntans for prevention of sludge formation in vegetable tan liquor-Specification (First Revision)	—	31 July 2013
2.	IS 16061 (Part 1) : 2013/ISO 14687-1 : 1999 Hydrogen fuel—Product certification Part 1 All applications except proton exchange membrane (PEM) fuel cells for road vehicles.	—	31 July 2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch

Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. On line purchase of Indian standards can be made at :<http://www.standardsbis.in>.

[Ref. CHD 17/IS13024 & CHD 6/16061 (Pt. 1)]

Dr. RAJIV K. JHA, Scientist 'F' & Head (CHD)

नई दिल्ली, 21 अगस्त, 2013

का०आ० 1882.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद् द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिये गये हैं वे स्थापित हो गये हैं:

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 13506 : 2013 स्वचल वाहन-संयोजन के लिए परीक्षण पद्धति (पहला पुनरीक्षण)	—	जुलाई 2013
2.	आई एस 14618 : 2013 स्वचल वाहन-वातानुकूल तंत्र तापीय कार्यकारिता-मापन विधि (पहला पुनरीक्षण)	—	जुलाई 2013
3.	आई एस 15971 : 2013 पोटनिर्माण-अंतर्देशीय नौचालना के लिए वेल्डिट इस्पात के डमरू नौबंद-विशिष्ट	—	जुलाई 2013
4.	आई एस 15998 : 2013 समुद्री प्रयोग हेतु कास्ट आयरन, सिफरॉयल नोड्यूलर कास्ट आयरन और कास्ट स्टील, स्कू-डाउन स्टॉप वाल्व और स्टॉप और चैक वाल्व-विशिष्ट	—	अगस्त 2013

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली 110 002 क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[संदर्भ टी ई डी/जी-16]

पी० सी० जोशी, वैज्ञानिक 'एफ' एवं प्रमुख (टी ई डी)

New Delhi, the 21st August, 2013

S.O. 1882.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl.No.	No. Year & title of the Indian Standard Established	No. & Year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	13506 : 2013 Automotive vehicles- Method of test for articulation (First Revision)	—	July 2013

(1)	(2)	(3)	(4)
2.	14618 : 2013 Automotive vehicles-Air conditioning systems thermal performance-Method of measurement (First Revision)	—	July 2013
3.	15971 : 2103 Shipbuilding-Welded steel double bollards for inland navigation-Specification	—	July 2013
4.	15998 : 2013 Cast iron, spheroidal/nodular cast iron and cast steel screw-down stop valves and stop and check valves for marine applications-Specification	—	August 2013

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[Ref. TED/G-16]

P. C. JOSHI, Scientist 'F' & Head (Transport Engg.)

नई दिल्ली, 22 अगस्त, 2013

का०आ० 1883.—भारतीय मानक ब्यूरो प्रमाणन विनियम, 1988 के नियम 4 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:—(माह 1 अक्टूबर 2012 से 30 जून 2013 तक)

अनुसूची

क्रम संख्या	लाइसेंस संख्या	लाइसेंस प्रदान की तिथि	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष
1.	9956213	03.10.2012	मे० मा सरस्वती ज्वैलर्स संगम शापिंग सेन्टर, शाप नं० 14, विद्युत विहार पीओ—शक्ति नगर, जिला—सोनभद्र उत्तर प्रदेश-231222	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनस एण्ड मार्किंग आई एस 1417 : 1999
2.	9956415	03.10.2012	मे० निम्बस बेवरेजेज प्रा० लि० प्लॉट नं० ई-16, इण्डस्ट्रियल एरिया, रामनगर जिला—चन्दौली, उ०प्र०-221008	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543 : 2004
3.	9960406	05.10.2012	मे० विधा प्लाई एण्ड बोर्ड प्रा० लि० गांधीगंज, जिला—शाहजहाँपुर उत्तर प्रदेश-242001	मौलडेड रेज्ड हाई डेन्सिटी फाइबर (एचडीएफ) पैनल डोर्स, आई एस 15380 : 2003
4.	9961812	16.10.2012	जय हनुमान प्लाईवुड इण्डस्ट्रीज, प्लॉट नं० 6, 16, 17, गद्दोपुर इण्डस्ट्रियल इस्टेट, जिला—फैजाबाद, उत्तर प्रदेश-242001	प्लाईवुड फार जनरल परपोजेज आई एस 303 : 1989
5.	9961408	19.10.2012	मे० एम एण्ड गुप्ता इन्टरप्राइजेज नियर गजल स्टूडियो, नाजीपुरा, जिला—बहराइच, उ०प्र०-271801	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543 : 2004

क्रम संख्या	लाइसेंस संख्या	लाइसेंस प्रदान की तिथि	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष
6.	9963917	08.11.2012	मे० केमिकल एण्ड एलायड प्रोडक्ट्स गवर्नमेन्ट इण्डस्ट्रियल इस्टेट जिला-देवरिया, उ०प्र०-274001	मोनोकोटोफास एसआई आई एस 8074: 1990
7.	9964010	08.11.2012	मे० केमिकल एण्ड एलायड प्रोडक्ट्स गवर्नमेन्ट इण्डस्ट्रियल इस्टेट जिला-देवरिया, उ०प्र०-274001	प्रेटिलाक्लोरो इमलिसिफिबल कन्सेन्ट्रेट आई एस 15160: 2002
8.	9964818	08.11.2012	मे० आदिश प्लास्टिक्स एफ० 61, इण्डस्ट्रियल एरिया, रामनगर, जिला-चन्दौली उत्तर प्रदेश-221110	रोटेशनल माल्डेड पालीथिलिन वाटर स्टोरेज टैंक्स आई एस 12701: 2004
9.	9964616	09.11.2012	मे० आनन्द बेवरेजेज 1275, शेकपुर, जिला-उन्नाव, उत्तर प्रदेश- 209801	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आईएस 14543: 2004
10.	9966822	15.11.2012	मे० दीपक लैमिनेशन ग्राम व पोस्टर-मिदनिया, गरही रोड, जिला- लखीमपुर खीरी, उत्तर प्रदेश-262701	प्लाईवुड फार जनरल परपजेज आई एस 303: 1989
11.	9966923	15.11.2012	मे० दीपक लैमिनेशन ग्राम व पोस्टर-मिदनिया, गरही रोड, जिला-लखीमपुर खीरी, उत्तर प्रदेश-262701	ब्लाक बोर्ड आई एस 1659: 2004
12.	9967016	15.11.2012	मे० दीपक लैमिनेशन ग्राम व पोस्टर-मिदनिया, गरही रोड, जिला-लखीमपुर खीरी, उत्तर प्रदेश-262701	वुडेन फलश डोरशटर्स सालिड कोर टाइप भाग 1 प्लाईवुड फेस पैनल्स, आई एस 2202: भाग 1: 1999
13.	9966519	16.11.2012	मे० अम्बिका वुड प्रोडक्ट्स ग्राम-कोटा अली नगर, पोस्टर-रूद्रा बिलास सुगर मिल, बिलासपुर जिला-रामपुर, उत्तर प्रदेश-244921	प्लाईवुड फार जनरल परपजेज आई एस 303:1989
14.	9966216	27.11.2012	मे० अरून ज्वैलर्स शाप नं० 7-8, प्रथम तल, राप्ती काम्प्लेक्स, मेडिकल रोड, आसुरान चौक, जिला-गोरखपुर, उत्तर प्रदेश-273006	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 1417: 1999
15.	9968624	04.12.2012	मे० लालजी आर्नामेन्ट हाउस 332/186/1, गोल दरवाजा, चौक, जिला-लखनऊ, उ०प्र०-226003	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 1417: 1999
16.	9968725	04.12.2012	मे० रिलायन्स जेम्स एण्ड ज्वैलर्स लि० 25, हजरतगंज; जिला-लखनऊ, उ०प्र०-226001	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 1417: 1999
17.	9968927	04.12.2012	मे० रिलायन्स जेम्स एण्ड ज्वैलर्स लि० इम्पीरियल बिल्डिंग नं० डी-58/52-सी, प्लॉट नं० 605, मो० रथयात्रा मौजा शिवपुरा परगना, जिला-वाराणसी, उ०प्र० 221010	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 1417: 1999

क्रम संख्या	लाइसेंस संख्या	लाइसेंस प्रदान की तिथि	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष
18.	9968826	05.12.2012	मे० रिलायन्स जेम्स एण्ड ज्वैल्स लि० 25, हजरतगंज; जिला-लखनऊ, उ०प्र०-226001	सिल्वर एण्ड सिल्वर एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 2112: 2003
19.	9969020	05.12.2012	मे० रिलायन्स जेम्स एण्ड ज्वैल्स लि० इम्पीरियल बिल्डिंग नं० डी-58/52-सी, प्लॉट नं० 605, मो० रथयात्रा मौजा शिवपुरा परगना, जिला-वाराणसी, उ०प्र० 221010	सिल्वर एण्ड सिल्वर एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 2112: 2003
20.	9969626	07.12.2012	मे० बद्री नारायण सर्राफ 551जेएचए/92, राम नगर, आलमबाग, जिला-लखनऊ, उ०प्र०-226005	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइनेस एण्ड मार्किंग आई एस 1417: 1999
21.	9970207	11.12.2012	मे० मनोकामना सीमेन्ट बिजनेस प्र० लि० बसन्त नगर, राम नगर, जिला-चन्दौली, उत्तर प्रदेश 221110	पोर्टलैण्ड पोजोलाना सीमेन्ट (फ्लाईएश बेस्ड) आई एस 1489: भाग-1:1991
22.	9972110	20.12.2012	मे० रहीम दाद खान सी-14, सी-15, इण्डस्ट्रियल एरिया सलारपुर, जिला-बदायूं, उत्तर प्रदेश	डीपवेल हैण्डपम्प्स, कम्पोनेन्ट्स एवं स्पेशल, टूल्स-रबर कम्पोनेन्ट्स आई एस 15500: भाग 7: 2004
23.	9972514	26.12.2012	मे० डिसेन्ट वाटर इण्डस्ट्रीज घुवास खुर्द, राबर्ट्सगंज, जिला-सोनभद्र, उ०प्र०-231216	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543: 2004
24.	9974316	02.01.2013	मे० जेपी चुनार सीमेन्ट प्रोडक्ट्स (ए यूनिट आफ जयपी सीमेन्ट कारपोरेशन लि०) पो० ओ०-चुनार, चुनार जिला-मिरजापुर उत्तर प्रदेश-231311	कारोगेटेड एण्ड सेमी-कारोगेटेड एस्बेस्टस सीमेन्ट शीट आई एस 459 : 1992
25.	9975318	07.01.2013	मे० जय हनुमान प्लाईवुड इण्डस्ट्रीज प्लॉट नं० 5, 6, 16, 17 गड्डोपुर इण्डस्ट्रियल एस्टेट जिला-फैजाबाद, उत्तर प्रदेश-224001	मैरिन प्लाईवुड आई एस 710:2010
26.	9975419	07.01.2013	मे० जय हनुमान प्लाईवुड इण्डस्ट्रीज प्लॉट नं० 5, 6, 16, 17, गड्डोपुर इण्डस्ट्रियल एस्टेट जिला-फैजाबाद, उत्तर प्रदेश-224001	प्लाईवुड फार कंक्रीट शटरिंग वर्क आईएस० 4990:1993
27.	9976522	15.01.2013	मे० शारदा इन्टरप्राइजेज के-21, एग्रो पार्क, फेज-2, यूपीएसआईडीसी कुर्सी रोड, बाराबंकी, जिला-बाराबंकी उत्तर प्रदेश-225302	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आईएस० 14543:2004
28.	9977322	16.01.2013	मे० एक्वा इन्टरनेशनल नाजिरपुरा, नानपारा बाई पास, बहराइच, जिला-बहराइच उत्तर प्रदेश-271801	पैकेज्ड ड्रिंकिंग वाटर (अदर देन नेचुरल पैकेज्ड मिनरल वाटर) आईएस० 14543:2004
29.	9978829	30.01.2013	मे० एम एस पैन्ल एण्ड एफ डोर बिलासपुर गेट, ग्राम-बमनपुरी तहसील-सदर, नैनीताल रोड जिला-रामपुर उत्तर प्रदेश-244901	ब्लाक बोर्ड आईएस० 1659:2004

क्रम संख्या	लाइसेंस संख्या	लाइसेंस प्रदान की तिथि	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष
30.	9978930	30.01.2013	मै० एम एस पैनल एण्ड एफ डोर बिलासपुर गेट, ग्राम-बमनपुरी, तहसील-सदर, नैनीताल रोड, जिला-रामपुर, उत्तर प्रदेश-244901	वुडेन फ्लश डोर शटर्स (सालिड कोर टाइप) भाग 1 प्लाईवुड फेस पैनल्स, आई०एस० 2202:भाग 1:1999
31.	9979023	30.01.2013	मै० एमएस पैनल एण्ड एफ डोर बिलासपुर गेट, ग्राम-बमनपुरी तहसील-सदर, नैनीताल रोड जिला-रामपुर, उत्तर प्रदेश-244901	प्लाईवुड फार जनरल परपजेज आई एस 303:1989
32.	9979528	01.02.2013	मै० वीना बेवरेजेज डी-328, एग्रो पार्क फेज-1, कुर्सी रोड, यूपीएसआईडीसी जिला-बाराबंकी, उत्तर प्रदेश-225001	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई०एस० 14543:2004
33.	9982719	18.02.2013	मै० देवेश फूड्स एण्ड एग्रो प्रोडक्ट्स प्रा० लि० ग्राम-बरीनगला, बुखरा फरीदपुर रोड जिला-बरेली, उत्तर प्रदेश-243001	प्रोसेस्ड सेरेल बेस्ड कंपलीमेन्टरी फूड्स फार इन्फैंट्स आई०एस० 11536:2007
34.	9983014	18.02.2013	मै० गुरुकृपा मैनुफैक्चरिंग प्रा० लि० 307, करवट, नई डाण्डी जिला-चन्दोली, उत्तर प्रदेश-232101	अनप्लास्टीसाइज्ड पीवीसी पाइप्स फार पोर्टेबिल वाटर सप्लाई आई एस 4985:2000
35.	9984218	25.02.2013	मै० एस एस प्लाईवुड एण्ड विनीर इण्डस्ट्रीज जजेज रोड, सिविल लाइन्स, पनवरिया जिला-रामपुर, उत्तर प्रदेश-244901	ब्लाक बोर्ड आई एस 1659:2004
36.	9984319	25.02.2013	मै० एस एस प्लाईवुड एण्ड विनीर इण्डस्ट्रीज जजेज रोड, सिविल लाइन्स, पनवरिया जिला-रामपुर, उत्तर प्रदेश-244901	वुडेन फ्लश डोरशटर्स सालिड कोर टाइप भाग 1 प्लाईवुड फेस पैनल्स, आई एस 2202:भाग 1:1999
37.	9984420	25.02.2013	मै० एस एस प्लाईवुड एण्ड विनीर इण्डस्ट्रीज जजेज रोड, सिविल लाइन्स, पनवरिया जिला-रामपुर, उत्तर प्रदेश-244901	प्लाईवुड फार जनरल परपजेज आईएस 303:1989
38.	9984521	26.02.2013	मै० टीका राम एण्ड सन्स ज्वैलर्स सर्राफा बाजार, नियर ओल्ड पीएनबी ब्रान्च जिला-बदायुँ, उत्तर प्रदेश-243601	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 1417:1999
39.	9985220	28.02.2013	मै० पवन कुमार अग्रवाल सर्राफ मो०-कोठी, पोस्ट-रूदोली जिला-फैजाबाद, उत्तर प्रदेश-225411	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 1417:1999
40.	9986020	06.03.2013	मै० गौरी शंकर कृष्ण गोपाल सर्राफ पुराना सर्राफा बाजार जिला-बदायुँ, उत्तर प्रदेश-243601	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 1417:1999
41.	9990213	19.03.2013	मै० डेयरी इण्डिया प्रा० लि० चौबारा लिंक रोड, गजरौला जिला-ज्योतिबाफुलेनगर, उत्तर प्रदेश-244235	स्किम्ड मिल्क पाउडर एक्सट्रा ग्रेड आई एस 13334 (भाग 2): 1992

क्रम संख्या	लाइसेंस संख्या	लाइसेंस प्रदान की तिथि	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष
42.	9990617	21.03.2013	मै० अनमोल ब्रेवरीज प्रा० लि० डी-47, यूपीएसआईडीसी एग्रो पार्क, करखियों (पिन्दरा), एनएच-56, वाराणसी, जिला-वाराणसी, उत्तर प्रदेश-221206	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543: 2004
43.	9992520	26.03.2013	मै० सरस्वती स्टील डी-4, इण्डस्ट्रियल एरिया, अमोवा रोड जिला-रायबरेली, उत्तर प्रदेश-229001	स्टैनलैस स्टील सिंक फार डोमेस्टिक परपजेज आई एस 13983: 1994
44.	9997227	01.04.2013	मै० हरसहायमल श्यामलाल ज्वैलर्स प्रा० लि० 148, सिविल लाइन्स जिला-बरेली, उत्तर प्रदेश-243001	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 1417: 1999
45.	4800557	08.05.2013	मै० रिलायन्स जेम्स एण्ड ज्वैल्स लि० 105 बी सिविल लाइन्स जिला-बरेली, उत्तर प्रदेश-243001	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 1417:1999
46.	4800658	08.05.2013	मै० रिलायन्स जेम्स एण्ड ज्वैल्स लि० 105 बी सिविल लाइन्स जिला-बरेली, उत्तर प्रदेश-243001	सिल्वर एण्ड सिल्वर एलोएज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 2112:2003
47.	4802359	17.05.2013	मै० रवि पेस्ट्रीसाइड्स लि० 5 किमी० स्टोन नगीना रोड जिला-बिजनौर, उत्तर प्रदेश-246701	जिक सल्फेट हैप्टाहाइड्रेट, एग्रिकल्चरल ग्रेड, आई एस 8249:1994
48.	4803058	23.05.2013	मै० पारस बायोटेक (प्रा०) लि० 21 गोयल इण्डस्ट्रियल एरिया, यूपीएसआईडीसी, देवा रोड, चिनहट, जिला-लखनऊ उत्तर प्रदेश-227105	जिक सल्फेट हैप्टाहाइड्रेट, एग्रिकल्चरल ग्रेड आई एस 8249: 1994
49.	4804161	28.05.2013	मै० बोहरा बेवरेजेज प्रा० लि० एच-37 एवं 38, एग्रो पार्क-2, यूपीएसआईडीसी, कुर्सी रोड जिला-बाराबंकी, उत्तर प्रदेश	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543:2004
50.	4804262	28.05.2013	मै० ए बी एस बेवरेजेज प्रा० लि० (यूनिट नं० 2) प्लॉट नं० 24/25, खसरा नं० 394, देवा रोड, (दयाल फार्म हाउस के पास), चिनहट जिला-लखनऊ, उत्तर प्रदेश-226010	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543:2004
51.	4806670	07.06.2013	मै० एम एस इन्टरप्राइजेज मोहल्ला-सलारगंज, जिला-बहराइच उत्तर प्रदेश-271801	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543:2004
52.	4806569	10.06.2013	मै० गंगेश सीमेन्ट प्रा० लि० ए-52 इण्डस्ट्रियल एरिया सथरिया, जौनपुर जिला-जौनपुर, उत्तर प्रदेश	पोर्टलेण्ड पोजोलाना सीमेन्ट भाग 1 फ्लाई एश बेस्ड आई एस 1489 (भाग 1): 1991
53.	4808876	13.06.2013	मै० रिलायन्स एग्रो इण्डस्ट्रीज 319, तेंदवा बसंतपुर, लखनऊ रोड जिला-बहराइच, उत्तर प्रदेश-271801	कार्बोफ्यूरान ग्रेनुअल्स, इनकेप्सुलेटेड आई एस 9360:1980

क्रम संख्या	लाइसेंस संख्या	लाइसेंस प्रदान की तिथि	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष
54.	4809373	20.06.2013	मै० गौरव ज्वैलर्स मैन रोड, गोल बाजार, खलीलाबाद जिला-सन्त कबीर नगर, उत्तर प्रदेश-272175	गोल्ड एण्ड गोल्ड एलायज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 1417:1999
55.	4809474	20.06.2013	मै० गौरव ज्वैलर्स मैन रोड, गोल बाजार, खलीलाबाद जिला-सन्त कबीर नगर, उत्तर प्रदेश-272175	सिल्वर एण्ड सिल्वर एलोयज, ज्वैलरी/आर्टिफैक्ट्स-फाइननेस एण्ड मार्किंग आई एस 2112:2003
56.	4812564	26.06.2013	मै० स्वामीनाथ मिनरल प्रा० लि० श्री गणेश नगर, कथा घाट रोड, गोंडा जिला-गोंडा, उत्तर प्रदेश-227001	पैकेज्ड ड्रिंकिंग वाटर (अदर देन पैकेज्ड नेचुरल मिनरल वाटर) आई एस 14543:2004
57.	4811360	27.06.2013	मै० सुपर टेनरी लि० प्लॉट नं० 1361, 1363 एण्ड 1415, शेखपुर, नरी, बंथर जिला-उन्नाव, उत्तर प्रदेश-209801	सेफ्टी प्रोटेक्टिव एण्ड आक्यूपेशनल फुटवेयर फार प्रोफेशनल यूज-भाग 2: सेफ्टी फुटवेयर आई एस 15298:(भाग 2):2002

[सं सीएमडी/13:11]

डॉ० आर० के० बजाज, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 22nd August, 2013

S.O. 1883.—In pursuance of sub-regulation (5) of the regulation 4 of Bureau of Indian Standards (Certification Regulation 1988, of the Bureau of Indian Standards, hereby notifies the grant of licence particulars of which are given in the following schedule. Period from (01.10.2012 to 30.6.2013)

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and Address of the Party	Title of the Standards IS No., Part, Sec., Year
1.	9956213	03.10.2012	M/s Maa Saraswati Jewellers Sangam Shopping Centre, Shop No. 14, Vidhyut Bihar, P.O. Shaktinagar, Sonebhaera, Distt : Sonbhadra Uttar Pradesh-231222	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS : 1417 : 1999
2.	9956415	03.10.2012	M/s Nimbus Beverages Pvt. Ltd. Plot No. E-16, Industrial Area, Ramnagar, Distt : Chandauli Uttar Pradesh-221008	Packaged drinking water (other than packaged natural mineral water) IS : 14543: 2004
3.	9960406	05.10.2012	M/s Vidya Ply & Board Pvt. Ltd. Gandhiganj, Distt : Shahjahanpur Uttar Pradesh-242001	Moulded Raised High Density Fibre (HDF) Panel Doors IS : 15380: 2003
4.	9961812	16.10.2012	M/s Jai Hanuman Plywood Industries Plot No. 5, 6, 16, 17, Gaddopur Industrial Estate Distt. : Faizabad, Uttar Pradesh-224001	Plywood for general purposes IS : 303 : 1989

Sl. No.	Licence No.	Grant Date	Name and Address of the Party	Title of the Standards IS No., Part, Sec., Year
5.	9961408	19.10.2012	M/s M & Gupta Enterprises Near Gazal Studio, Naajirpura, Bahraich, Distt : Baharaich Uttar Pradesh-271801	Packaged drinking water (other than packaged natural mineral water) IS : 14543: 2004
6.	9963917	08.11.2012	M/s Chemicals & Allied Products Govt. Industrial Estate Deoria Distt. : Deoria, Uttar Pradesh-274001	Monocrotophos SI- IS : 8074: 1990
7.	9964010	08.11.2012	M/s Chemicals & Allied Products Govt. Industrial Estate Deoria Distt. : Deoria, Uttar Pradesh-274001	Pretilachlor Emulsifiable Concentrate- IS : 15160:2002
8.	9964818	08.11.2012	M/s Adish Plastics F-61, Industrial Area, Ramnagar Ramnagar, Distt. : Chandauli Uttar Pradesh-221110	Rotational moulded polyethylene water storage tanks IS : 12701:1996
9.	9964616	09.11.2012	M/s Anand Beverages 1275, Shekpur, Distt. : Unnao, Uttar Pradesh-209801	Packaged drinking water (Other than packaged natural mineral water) IS : 14543 : 2004
10.	9966822	15.11.2012	M/s Deepak Lamination Village & Post-Midania, Garhi Road Lakhimpur Kheri, Distt. : Kheri Uttar Pradesh-262701	Plywood for general purposes IS : 303:1989
11.	9966923	15.11.2012	M/s Deepak Lamination Village & Post-Midania, Garhi Road, Lakhimpur Kheri, Distt. : Kheri Uttar Pradesh-262701	Block Boards IS : 1659 : 2004
12.	9967016	15.11.2012	M/s Deepak Lamination Village & Post -Midania, Garhi Road, Lakhimpur Kheri, Distt. : Kheri Uttar Pradesh-262701	Wooden Flush Door Shutters (Solid Core Type) Part I Plywood face Panels IS : 2202:Part 1: 1999
13.	9966519	16.11.2012	M/s Ambika Wood Products Village-Kota Ali Nagar, Post-Rudra Bilas, Sugar Mill, Bilaspur, Distt. : Rampur, Uttar Pradesh-244921	Plywood for general purposes IS : 303:1989
14.	9966216	27.11.2012	M/s Arun Jewellers Shop No. 7-8, First Floor, Rapti Complex, Medical Road, Asuran Chowk Distt. : Gorakhpur, Uttar Pradesh-273006	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS : 1417 : 1999
15.	9968624	04.12.2012	M/s Lalji Ornament House 332/186/1 Gol Darwaza Chowk Distt. : Lucknow, Uttar Pradesh-226003	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS : 1417 : 1999
16.	9968725	04.12.2012	M/s Reliance Gems & Jewels Ltd. 25 Hazratganj, Distt.: Lucknow Uttar Pradesh-226001	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS : 1417 : 1999
17.	9968927	04.12.2012	M/s Reliance Gems & Jewels Ltd. Imperial Building, No. D 58/52 C, Plot No. 605, Moh. Rathyatra Mauza Shivpura Pargana Distt. : Varanasi, Uttar Pradesh-221010	Gold and Gold Alloys, Jewellery/ Artefacts-Fineness and Marking IS : 1417 : 1999

Sl. No.	Licence No.	Grant Date	Name and Address of the Party	Title of the Standards IS No. Part Sec. Year
18.	9968826	05.12.2012	M/s Reliance Gems & Jewels Ltd. 25, Hazratganj, Distt. : Lucknow Uttar Pradesh-226001	Silver and Silver Alloys, Jewellery/ Artefacts-Fineness and Marking IS : 2112: 2003
19.	9969020	05.12.2012	M/s Reliance Gems & Jewels Ltd. Imperial Building No. D 58/52-C, Plot No. 605, Moh. Rathyatra Mauza Shivpura Pargana Distt. : Varanasi, Uttar Pradesh-221010	Silver and Silver Alloys, Jewellery/ Artefacts -Fineness and Marking IS : 2112:2003
20.	9969626	07.12.2012	M/s Badri Narain Sarraf 551 JHA/92, Ram Nagar Alambagh Distt. : Lucknow, Uttar Pradesh-226005	Gold and Gold Alloys, Jewellery/ Artefacts - Fineness and Marking IS : 1417 : 1999
21.	9970207	11.12.2012	M/s Manokamna Cement Business (P) Ltd., Basant Nagar (Ram Nagar), Distt. : Chandauli, Uttar Pradesh-221110	Portland Pozzolana Cement Part 1 Flyash based IS : 1489 :(Pt.1):1991
22.	9972110	20.12.2012	M/s Rahim Dad Khan C-14, C-15, Industrial Area Salarpur, Distt. : Budaun, Uttar Pradesh	Deepwell handpumps, Components and Special Tools-Rubber components IS : 15500 (Pt.7)-2004
23.	9972514	26.12.2012	M/s Decent Water Industries Ghuwas Khurd, Robertsganj Ghuwas Khurd, Distt. : Sonbhadra, Uttar Pradesh-231216	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
24.	9974316	02.01.2013	M/s Jaypee Chunar Cement Products (A Unit of Jaypee Cement Corporation Ltd.,) P.O. Chunar, Chunar, Distt. : Mirzapur, Uttar Pradesh-231311	Corrugated and semi-corrugated asbestos cement sheets IS : 459 :1992
25.	9975318	07.01.2013	M/s Jai Hanuman Plywood Industries Plot No. 5, 6, 16, 17, Gaddopur Industrial Estate Distt. : Faizabad, Uttar Pradesh-224001	Marine Plywood IS : 710:2010
26.	9975419	07.01.2013	M/s Jai Hanuman Plywood Industries Plot No. 5, 6, 16, 17, Gaddopur Industrial Estate Distt. : Faizabad, Uttar Pradesh-224001	Plywood for concrete shuttering work IS 4990: 1993
27.	9976522	15.01.2013	M/s Sharda Enterprises K-21, Agro Park, Phase-II, Upside Kursi Road, Barabanki, Barabanki, Distt. : Bara Banki, Uttar Pradesh-225302	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
28.	9977322	16.01.2013	M/s Aqua International Naazirpura, Nanpara by pass Baharaich, Distt. : Baharaich Uttar Pradesh-271801	Packaged drinking water (other than packaged natural mineral water) IS: 14543:2004
29.	9978829	30.01.2013	M/s M. S. Pannel & F. Door Bilaspur Gate, Village-Bamanpuri, Tehsil-Sadar, Nainital Road, Distt. : Rampur, Uttar Pradesh-244901	Block Boards IS : 1659:2004
30.	9978930	30.01.2013	M/s M. S. Pannel & F. Door Bilaspur Gate, Village-Bamanpuri, Tehsil-Sadar, Nainital Road, Distt. : Rampur, Uttar Pradesh-244901	Wooden Flush Door Shutters (Solid Core Type) Part 1 Plywood face Panels IS : 2202:Part 1: 1999

Sl. No.	Licence No.	Grant Date	Name and Address of the Party	Title of the Standards IS No. Part Sec. Year
31.	9979023	30.01.2013	M/s M. S. Pannel & F. Door Bilaspur Gate, Village-Bamanpuri, Tehsil-Sadar, Nainital Road, Distt : Rampur, Uttar Pradesh-244901	Plywood for General Purposes IS : 303:1989
32.	9979528	01.02.2013	M/s Veena Beverages D-328, Agro Park Phase-I, Kursi Road, UPSIDC Distt. : Bara Banki, Uttar Pradesh-225001	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
33.	9982719	18.02.2013	M/s Devesh Food and Agro Products Pvt. Ltd. Village-Barinagla, Bukhara, Faridpur Road, Distt. : Bareilly-243001	Processed cereal based complementary foods for infants IS : 11536: 2007
34.	9983014	18.02.2013	M/s Gurukripa Manufacturing Pvt. Ltd. 307, Karvat, Nai Dandi, Distt. : Chandauli Uttar Pradesh-232101	Unplasticized PVC Pipes for Potable Water Supplies IS : 4985 : 2000
35.	9984218	25.02.2013	M/s S. S. Plywood & Veneer Industries Judges Road, Civil Lines, Panvaria, Distt. : Rampur, Uttar Pradesh-244901	Block Boards IS : 1659 : 2004
36.	9984319	25.02.2013	M/s S. S. Plywood & Veneer Industries Judges Road, Civil Lines, Panvaria, Distt. : Rampur, Uttar Pradesh-244901	Wooden Flush Door Shutters (Solid Core Type) Part 1 Plywood face Panels IS : 2202:Part 1: 1999
37.	9984420	25.02.2013	M/s S. S. Plywood & Veneer Industries Judges Road, Civil Lines, Panvaria, Distt. : Rampur, Uttar Pradesh-244901	Plywood for General Purposes IS : 303:1989
38.	9984521	26.02.2013	M/s Tika Ram & Sons Jewellers Sarrafa Bazar, Near Old PNB Branch Distt. : Budaun, Uttar Pradesh-243601	'Gold and Gold Alloys, Jewellery/ Artefacts Fineness and Marking IS : 1417 : 1999
39.	9985220	28.02.2013	M/s Pawan Kumar Agrawal Sarraf Moh. Kothi, Post - Rudauli Distt. : Faizabad, Uttar Pradesh-225411	Gold and Gold Alloys, Jewellery/ Artefacts Fineness and Marking IS : 1417 : 1999
40.	9986020	06.03.2013	M/s Gauri Shanker Krishna Gopal Sarraf Purana Sarrafa Bazar Distt. : Budaun, Uttar Pradesh-243601	Gold and Gold Alloys, Jewellery/ Artefacts Fineness and Marking IS : 1417 : 1999
41.	9990213	19.03.2013	M/s Dairy India Pvt. Ltd. Chaubara Link Road, Gajraula, Distt. : Jyotiba Phule Nagar, Uttar Pradesh-244235	Skim Milk Powder Extra Grade IS : 13334 (Pt.2) : 1992
42.	9990617	21.03.2013	M/s Anmol Breweries Private Limited D-47, UPSIDC Agro Park, Karkhiyaon (Pindra), NH-56, Varanasi, Distt. : Varanasi, Uttar Pradesh-221206	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
43.	9992520	26.03.2013	M/s Saraswati Steel D-4, Industrial Area-II, Amawa Road, Distt. : Rae Bareilly, Uttar Pradesh-229001	Stainless steel sinks for domestic purposes IS : 13983 : 1994
44.	9997227	01.04.2013	M/s Harsahaimal Shiamlal Jewellers Pvt. Ltd. 148, Civil Lines, Distt. : Bareilly, Uttar Pradesh-243001	Gold and Gold Alloys, Jewellery/ Artefacts - Fineness and Marking IS : 1417 : 1999

Sl. No.	Licence	Grant Date	Name and Address of the Party	Title of the Standards is No. Part Sec. Year
45.	4800557	08.05.2013	M/s Reliance Gems & Jewels Ltd., 105 B Civil Lines, Distt : Bareilly Uttar Pradesh - 243001	Gold and Gold Alloys, Jewellery/ Artefacts Fineness and Marking IS : 1417 : 1999
46.	4800658	08.05.2013	M/s Reliance Gems & Jewels Ltd. 105 B Civil Lines, Distt : Bareilly Uttar Pradesh - 243001	Silver and Silver Alloys, Jewellery/ Artefacts Fineness and Marking IS : 2112:2003
47.	4802359	17.05.2013	M/s Ravi Pesticides Limited 5th Km Stone Nagina Road Distt : Bijinor, Uttar Pradesh - 246701	Zinc sulphate heptahydrate, agricultural grade IS : 8249:1994
48.	4803058	23.05.2013	M/s Paras Biotech (P) Ltd. 21, Goyala Industrial Area , UPSIDC, Dewa Road, Chinhat, Distt : Lucknow Uttar Pradesh - 227105	Zinc sulphate heptahydrate, agricultural grade IS : 8249:1994
49.	4804161	28.05.2013	M/s Bohra Beverages Pvt. Ltd. H-37 & 38, Agri Park II, UPSIDC, Kursi Road, Distt : Bara Banki Uttar Pradesh	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
50.	4804262	28.05.2013	M/s.A B.S. Beverages Pvt. Ltd. (Unit No.2) Plot No. 24/25, Khasra No. 394, Deva Road, (Near Dayal Farm House), Chinhat, Distt : Lucknow, Uttar Pradesh - 226010	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
51.	4806670	07.06.2013	M/s M. S. Enterprises Mohalla - Salarganj, Distt : Baharaich Uttar Pradesh - 271801	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
52.	4806569	10.06.2013	M/s Ganesh Cement Pvt. Ltd. A-52 Industrial Area Satharia, Jaunpur, Distt : Jaunpur, Uttar Pradesh	Portland pozzolana cement Part 1 Fly ash based IS : 1489 (Pt.1) : 1991
53.	4808876	13.06.2013	M/s Reliance Agro Industries 319, Tendwa Basantpur Lucknow Road Distt : Baharaich, Uttar Pradesh - 271801	Carbofuran Granules, Encapsulated IS : 9360:1980
54.	4809373	20.06.2013	M/s Gaurav Jewellers Main Road, Gola Bazar, Khalilabad Distt : Sant Kabir Nagar, Uttar Pradesh - 272175	Gold and Gold Alloys, Jewellery/ Artefacts Fineness and Marking IS : 1417 : 1999
55.	4809474	20.06.2013	M/s Gaurav Jewellers Main Road, Gola Bazar, Khalilabad Distt : Sant Kabir Nagar, Uttar Pradesh - 272175	Silver and Silver Alloys, Jewellery/ Artefacts Fineness and Marking IS : 2112:2003
56.	4812564	26.06.2013	M/s Swaminath Mineral Pvt. Ltd. Shree Ganesh Nagar, Katha Ghat Road, Gonda, Distt : Gonda, Uttar Pradesh - 227001	Packaged drinking water (other than packaged natural mineral water) IS : 14543:2004
57.	4811360	27.06.2013	M/s Super Tannery Limited Plot No. 1361,1363 & 1415, Shekhpur, Nari, Banthar, Distt : Unnao, Uttar Pradesh - 209801	Safety, Protective and Occupational Footwear for Professional use - Part 2 : Specification for Safety Footwear IS : 15298 : (Pt.2):2002

[No. CMD/13 : 11]

Dr. R.K. BAJAJ, Scientist 'F' & Head

नई दिल्ली, 22 अगस्त, 2013

का०आ० 1884.—भारतीय मानक ब्यूरो प्रमाणन विनियम 1988 के नियम 4 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे रद्द कर दिए गए हैं:—(माह 1 अक्टूबर 2012 से 30 जून 2013 तक)

अनुसूची

क्रम संख्या	लाइसेंस संख्या	लाइसेंसधारी का नाम एवं पता	मानक का शीर्षक आईएस संख्या, भाग, अनुभाग, वर्ष	लाइसेंस रद्द करने की तिथि
1.	9801281	मै० खरबन्दा कंक्रीट वर्क्स अपोजिट सीआरपीफ कैम्पस, बिजनौर रोड, जिला - लखनऊ	प्रीकास्ट कंक्रीट पाइप्स आई एस 458: 2003	07.06.2013
2.	9897526	कोया एण्ड कम्पनी कान्स्ट्रक्शन प्राइवेट लिमिटेड नं० 1097, 1099 जमके मदई उमराह, नारंगपुर चिरईगांव, जिला - वाराणसी, उत्तर प्रदेश - 221104	प्रीस्ट्रेस कंक्रीट पाइप्स आई एस 784: 2001	10.05.2013

[सं सीएमडी/13:11]

डॉ० आर० के० बजाज, वैज्ञानिक 'एफ' एवं प्रमुख

New Delhi, the 22nd August, 2013

S.O. 1884.—In pursuance of sub-regulation (5) of the regulation 4 of Bureau of Indian Standards (Certification Regulation 1988, of the Bureau of Indian Standards, hereby notifies the Cancellation of licence particulars of which are given in the following schedule. Period from (01.10.2012 to 30.06.2013)

SCHEDULE

Sl. No.	Licence No.	Name & Address of the Party	Title of the Standards is No. Part Sec Year	Cancellation Date
1.	9801281	M/s. Kharbanda Concrete Works Opposite C.R.P.F. Campus, Bijnore Road, Distt : Lucknow	Precast Concrete Pipes IS 458:2003	07.06.2013
2.	9897526	Koya & Company Construction Private Limited No. 1097, 1099, Zamke Madai Umarah, Narangpur Chiragaw Distt : Varanasi Uttar Pradesh - 221104	Prestressed Concrete Pipes (Including Fittings)— Specification IS 784 : 2001	10.05.2013

[No. CMD/13:11]

Dr. R. K. BAJAJ, Scientist 'F' & Head

नई दिल्ली, 26 अगस्त, 2013

का०आ० 1885.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के विनियम 5के उपविनियम (6) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:—

अनुसूची

क्रम संख्या	लाइसेंस संख्या	स्वीकृति करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भामा सं	भाग	खण्ड	वर्ष
1.	3938884	10.04.2013	कमल इम्पोर्ट एक्सपोर्ट्स इनकॉर्पोरेशन लोटस हाऊस, प्लॉट नं० 21, सर्वे नं० 906, साई पॅलेस हॉटेल के नजदीक, चेतना नगर, जिला : नासिक - 422009	पेयजल आपूर्ति के लिए अप्लैस्टिक पीवीसी पॉलिथिलीन पाइप-विशिष्ट	4985			1985
2.	3941570	18.04.2013	ग्रीनफिल्ड मटेरियल हॅण्डलिंग प्रा० लि० प्लॉट नं० एन-49/1, ऑडिशनल अंबरनाथ, जिला : थाणे - 421506	कृषि प्रयोजनों के लिए समगति संपीडन प्रज्वलन (डीजल) इंजन की कार्यकारिता अपेक्षाएं (20 किवा तक)	11170			1985
3.	3948988	13.05.2013	राधे गुरुमों एन्टरप्राइजेस श्रीजी कम्पाउंड, गाला नं० 2, वाघेदा पाडा, विलेज - काम्बा, तालुका : कल्याण, जिला : थाणे - 421301	विद्युत संस्थापनों के लिए नलिकाएँ : भाग 3 विद्युतरोधी सामग्री के दृढ़ सादी नलिकाएं	9537	3		1983
4.	3949081	17.05.2013	पटेल प्लास्टिक कार्पोरेशन प्लॉट नं० 39, हिस्सा-1, 1बी, विलेज बारवाई, पोस्ट - पोएंजा, तालुका - पनवेल 410206	शौचकुंड के लिए प्लास्टिक की पीठीका और डक्कन भाग 2 : थर्मोप्लास्टिक सीट और कवर	2548	1		1996
5.	3960776	24.05.2013	कृपा कंटेनरर्स प्रा० लि० ए - 19/बी, एमआयडीसी, पातालगंगा, तालुका : खालापूर, जिला : रायगढ़ - 410220	ड्रम, बडे, नियत सिरे भाग 2 श्रेणी 'बी' ड्रम	1783	2		1988
6.	3954074	12.06.2013	के० सी० फेरो अॅण्ड रीरोलिंग मिल्स प्रा० लि० सर्वे गट नं० (7)पीटी, (53)पीटी, (77)पीटी, विलेज : सारासोहल, पोस्ट विलकोश, वाडा, जिला : थाणे - 421303	कंक्रीट प्रबलन के लिए उच्च सान्द्रण विरूपित इस्पात छड़े और तार	1786			2008
7.	3954175	12.06.2013	सुर्या फेरोज अलॉइज प्रा० लि० गट नं० 86, 87, 88, 89, 90, 91, 92/4, 92/पी, 95, वाडा शहापूर रोड, विलेज : अवितघर, तालुका : वाडा, जिला : थाणे - 421303	कंक्रीट प्रबलन के लिए उच्च सान्द्रण विरूपित इस्पात छड़े और तार	1786			2008
8.	3961273	28.06.2013	श्री वैष्णव वायर अॅन्ड रॉड प्रा० लि० गट नं० 154-161 अॅण्ड 163-165, विलेज : अबितघर, तालुका : वाडा, जिला : थाणे-421303	कंक्रीट प्रबलन के लिए उच्च सान्द्रण विरूपित इस्पात छड़े और तार	1786			2008

क्रम संख्या	लाइसेंस संख्या	स्वीकृति करने की तिथि	लाइसेंस का नाम एवं पता	भारतीय मानक का शीर्षक	भामा सं भाग	खण्ड	वर्ष
9.	3969277	03.07.2013	प्रिसिसन युपीवीसी मोल्डर्स प्रा० लि० सर्वे नं० 441/5, 442/1 और 2, 444/1 और 2, विलेज दाबेल, नानी दमण, दमण एवं दीव - 396210	गर्म और शीत पेय जल वितरण आपूर्ति के लिए क्लोरिनियत पीवीसी पाईप	15778		2007
10.	3964885	04.07.2013	यश पाइप्स अँड फिटिंग्स वी - 74, एमआयडीसी, जलगांव - 425003	संवातन और वर्षाजल पद्धति सहित भवनों के अंदर मिट्टी और अपशिष्ट निकास के युपीवीसी पाईपें	13592		1992
11.	3965786	16.07.2013	प्रिसिसन युपीवीसी मोल्डर्स प्रा० लि० सर्वे नं० 441/5, 442/1 और 2, 444/1 और 2, विलेज दाबेल, नानी दमण, दमण एवं दीव - 396210	संवातन और वर्षाजल पद्धति सहित भवनों के अंदर मिट्टी और अपशिष्ट निकास के युपीवीसी पाईपें	13592		1992
12.	3967891	17.07.2013	दयामाता अप्लायंसेस शुभ इण्ड इस्टेट, गाला नं० 13, सेक्टर नं० 2, गोराई पाडा, वसई (प), जिला: थाणे-401208	ढलवाँ एल्यूमिनियम बर्तन	1660		2009
13.	3968590	17.07.2013	गुडलक मेटल इण्डस्ट्रिज 348, मधानी इस्टेट, मुलुंड गोरेगांव लिंक रोड, भांडुप - सोनापुर, भांडुप (प), मुंबई - 400078	घरेलू प्रेसर कुकर - विशिष्ट	2347		2006
14.	3969188	22.07.2013	एस० यु० मोटर्स प्रा० लि० मॉडल टारून, बाल राजेश्वर रोड, मुलुंड (प), मुंबई - 400080	निमज्जनी पम्पसेट	8034		2008
15.	3971781	25.07.2013	श्री वैष्णव कास्टिंग प्रा० लि० बी-3, पालखेड, एमआयडीसी, दिंडोरी, जिला : नासिक - 422202	सामान्य संरचना प्रयोजनों के लिए इस्पात में पुनः रोलिंग हेतु कार्बन इस्पात के ढलित बिलेट इंगोट्स, बिलेट्सए ब्लमस और स्लैब्स	2830		2012
16.	3970678	26.07.2013	चंद्रकांत अँड कं० डब्लू-406ए राबले इण्ड एरिया, गोडाउन गैरेज के नजदीक, राबले, जिला: नवी मुंबई - 400080	सुवाहय अग्निशामक - निष्पादन और संरचना	15683		2006

[सं० के प्र वि/13:11]

टी० कलैवाणन, वैज्ञानिक 'एफ' एवं प्रमुख (प्रवि -II)

New Delhi, the 26th August, 2013

S.O. 1885.—In pursuance to sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (certification) regulations, 1988, the bureau of Indian Standards, hereby notifies that the licences particulars of which are given in the following schedule have grant effect from the date indicate against each:

SCHEDULE

Sr. No.	CML No.	GOL Date	Licensee Name & Address	IS Product	IS No	PA RT	SEC	Year
1.	3938884	10/4/2013	Kamal Import Exports Incorporation Lotus House, Plot No. 21, Survey No. 906, behind Hotel Sai Palace Chetna Nagar, Distt: Nashik-422009	Unplasticized PVC Pipes for Potable Water Supplies- Specification	4985			2000
2.	3941570	18/04/2013	Greenfield Material Handling Pvt. Ltd. Plot No. N-49/1, Additional Ambernath, Distt: Thane-421506	Performance Requirements for Constant Speed Compression Ignition (Diesel) Engine for Agricultural purposes (Up to 20 Kw)	11170			1985
3.	3948988	13/05/2013	Radhye Gurumaa Enterprises Shreejee Compound, Gala No.2, Waghedapada, Village-Kamba, Tal: Kalayan, Distt: Thane-421 301	Conduits for Electrical Installations: Part 3 Rigid Plain Conduits of Insulating Materials	9537	3		1983
4.	3949081	17/5/2013	Patel Plastic Corporation Plot No-39, Hissa-1, 1B, Village Barwai, Post-Poynja, Taluka- Panvel-410206	Plastic Seats and covers for Water-closets: Part 2 Thermo Plastic Seats and Covers	2548	2		1996
5.	3960776	24/05/2013	Krupa Containers Pvt. Ltd. A-19/B, MIDC, Patalaganga, Tal: Khallpur, Distt: Raigad-410220	Drums, Large, Fixed ends, Part 2 Grade B Drums	1783	2		1988
6.	3954074	12/06/2013	K.C. Ferro & Rerolling Mills Pvt. Ltd. Survey Gut No. (7) Pt, (53) Pt, (77) Pt, Village Sarasohal, Post: Vilkosh, Wada, Distt: Thane-421303	High Strength Deformed Steel Bars and Wires for Concrete Reinforcement	1786			2008
7.	3954175	12/06/2013	Surya Ferrous Alloys Pvt. Ltd. Gut No. 86, 87, 88, 89, 90, 91, 92/4, 92/P, 95, Wada Sahapur Road, Village Abitghar, Tal: Wada, Distt: Thane-421303	High Strength Deformed Steel Bars and Wires for Concrete Reinforcement	1786			2008
8.	3961273	28/06/2013	Shree Vaishnav Wire & Rod Pvt. Ltd. Gate No. 154-161 & 163-165, Village: Abitghar, Tal: Wada, Distt: Thane-421303	High Strength Deformed Steel Bars and Wires for Concrete Reinforcement	1786			2008

Sr. No.	CML No.	GOL Date	Licensee Name & Address	IS Product	IS No.	PA RT	SEC	Year
9.	3963277	03/07/2013	Precision UPVC Moulders Pvt. Ltd. Survey No. 441/5, 442/1&2, 444/1&2 Village Dhabel, Nani Daman, Daman & Diu-396210	Chlorinated PVC Pipes for Potable Hot and Cold Water Distribution Supplies.	15778			2007
10.	3964885	04/07/2013	Yash Pipes and fittings V-74 MIDC, Jalgaon-425003	UPVC Pipes for Soil and Waste discharge systems inside buildings including ventilation and rainwater system	13592			1992
11.	3965786	16/07/2013	Precision UPVC Moulders Pvt. Ltd. survey No. 441/5, 442/1&2, 444/1&2 Village Dabhel, Nani Daman, Daman & Diu-396210	UPVC Pipes for Soil and waste discharge systems inside buildings including ventilation and rainwater system	13592			1992
12.	3967891	17/07/2013	Dayamata Appilicance Shubh Indl. Estate, Gala No. 13, Sector No. 2, Gorai Pada, Vasai (W), Distt: Thane-401208	Wrought Aluminium Utensils	1660			2009
13.	3968590	17/07/2013	Goodluck Metal Industries 348, Madhani Estate Mulund Goregaon Link Road, Bhandup-Sonapur, Bhandup (W), Mumbai-400078	Domestic Pressure Cookers- Specification	2347			2006
14.	3969188	22/07/2013	S.U. Motors Pvt. Ltd. Model Town, Bal Rajeshwar Road, Mulund (W), Mumbai-400080	Submersible Pumpsets	8034			2002
15.	3971781	25/07/2013	Shree Vaishnav Casting Pvt. Ltd. B-3, Palkhed, MIDC, Dindori, Distt: Nashik-422202	Carbon Steel Cast Billet Ingots, Billets, Blooms and Slabs for Re-rolling into Steel for general structural purposes	2830			2012
16.	3970678	26/07/2013	Chandrakant & Co W-406, Rabale Indl. Area, near Golden Garage, Rabale, Distt: Navi Mumbai-400080	Portable Fire Extinguishers performance and Construction	15683			2006

[No. CMD/13:11]

T. KALAIVANAN, Scientist 'F' & Head (MDM-II)

नई दिल्ली, 26 अगस्त, 2013

कांआ 1886.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में तिदए गए हैं वे स्थापित हो गये हैं।

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक (कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
1	आईएस 915: 2012/आईएसओ 1042:1998 प्रयोगशाला ग्लासवेयर एक-चिन्ह वाली आयतनी फ्लास्क (तीसरा पुनरीक्षण)		15 सितम्बर 2013

इस भारतीय मानक की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली 110 002 क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकता, चण्डीगढ़, चेन्नई, मुम्बई, तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूर्ण तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं। भारतीय मानकों को <http://www.standardsbis.in> द्वारा इंटरनेट पर खरीदा जा सकता है।

दिनांक: 26.08.2013

[संदर्भ सीएचडी 10/आईएस 915]

डॉ० राजीव के० झा, वैज्ञानिक “एफ” एवं प्रमुख (रसायन)

New Delhi, the 26th August, 2013

S.O. 1886.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each:

SCHEDULE

Sl. No.	No. & Year of the Indian Standard Established	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1	US 915 : 2012/ISO 1042 : 1998 Laboratory glassware-One-mark volumetric flasks (Third Revision)		15 September 2013

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices: New Delhi, Kolkata, Chandigarh, Cehnnai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram. On line purchase of Indian standard can be made at :<http://www.standardsbis.in>.

Dated: 26.08.2013

[Ref. CHD 10/IS 915]

Dr. RAJIV K. JHA, Scientist 'F' & Head (CHD)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 6 सितम्बर, 2013

का०आ० 1887.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962, (1962 का 50) की धारा 2 के खंड (क) के अनुसरण में उक्त अधिनियम के अधीन गोवा राज्य के भीतर गेल (इण्डिया) लिमिटेड की सभी पाइपलाईनों के लिये सक्षम अधिकारी के कार्यों का निर्वहन करने के लिये श्री एंथोनी जे० डिस्सूजा, वरिष्ठ वेतन मान अधिकारी, गोवा प्रशासन सेवा, गोवा सरकार, को आगामी आदेश तक प्राधिकृत करती है।

[फा० सं० एल-14014/24/2013-जी०पी०]

एस० पी० अग्रवाल, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 6th September, 2013

S.O. 1887.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Government of India hereby authorized Shri Anthony J. D'souza, Senior scale officer of Goa Civil Service, Government of Goa to perform the functions of Competent Authority for all pipelines of GAIL (India) Limited, under the said Act, within the territory of Goa, till further orders.

[F. No. L-14014/24/2013-GP.]

S.P. AGARWAL, Under Secy.

नई दिल्ली, 3 सितम्बर, 2013

का०आ० 1888.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खण्ड (क) के अनुसरण में, भारत के राजपत्र में दिनांक 3 दिसम्बर 2005 को प्रकाशित पेट्रोलियम और प्राकृतिक गैस मंत्रालय की दिनांक 30 नवम्बर 2005 की अधिसूचना संख्या का० आ० 4526 में निम्नलिखित संशोधन करती है:—

उक्त अधिसूचना में, “श्री पी० के० दास, वरिष्ठ प्रचालन प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, हल्दिया मौरीग्राम राजबन्ध बरौनी पाइपलाइन्स, मौरीग्राम, पीओ-दुइल्ल्या, अंदुल-मौरी, मौरीग्राम, हावड़ा, पश्चिम बंगाल-711302” शब्दों के स्थान पर “श्री रविन्द्रनाथ चट्टोपाध्याय, मुख्य प्रचालन प्रबंधक, इंडियन ऑयल कॉर्पोरेशन लिमिटेड, पूर्वी क्षेत्र

पाइपलाइन्स, हल्दिया मौरीग्राम राजबन्ध बरौनी पाइपलाइन्स”, पीओ-कल्ला सेन्ट्रल अस्पताल, आसनसोल, जिला वर्दवान-713340, पश्चिम बंगाल, शब्द रखे जाएंगे।

यह अधिसूचना जारी होने पर लागू होगा।

[सं० आर-25011/15/2005-ओ०आर०I]

पवन कुमार, अवर सचिव

New Delhi, the 3rd September, 2013

S.O. 1888.—In pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Petroleum and Natural Gas Number S.O. 4526 dated 30th November, 2005, published in the Gazette of India on 3rd December, 2005:—

In the said notification, for the words "Shri P.K. Das, Senior Operations Manager, Indian Oil Corporation Limited, Haldia Mourigram Rajbandh Barauni Pipeline, Mourigram, P.O. Dullya, Andul Mouri, Mourigram, Howrah-711 302 (West Bengal)" the words "Shri Rabindra Nath Chattopadhyay, Chief Operations Manager, Indian Oil Corporation Limited, Eastern Region Pipelines, Haldia Mourigram Rajbandh Barauni Pipeline, Asansol, P.O. Kalla Central Hospital, Asansol, Dist. Burdwan-713 340 (West Bengal)" shall be substituted.

This notification will be effective from the date of its issue.

[No. R. 25011/15/2005-OR-I]

PAWAN KUMAR, Under Secy.

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 31 जुलाई, 2013

का०आ० 1889.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा -1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 सितम्बर, 2013 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप-धारा-(1) और

धारा-77 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध हरियाणा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

क्रमांक	राजस्व भाग	हदबस्त संख्या	तहसील	जिला
1.	नारनौल	159	नारनौल	महेन्द्रगढ़
2.	फैजाबाद	118	नारनौल	महेन्द्रगढ़
3.	लहरौदा	119	नारनौल	महेन्द्रगढ़
4.	मडलाणा	134	नारनौल	महेन्द्रगढ़
5.	आजम नगर	120	नारनौल	महेन्द्रगढ़
6.	नीरपुर	6	नारनौल	महेन्द्रगढ़
7.	धानी भठोठ	208	नारनौल	महेन्द्रगढ़
8.	सेका	192	नारनौल	महेन्द्रगढ़
9.	मंढाना	194	नारनौल	महेन्द्रगढ़
10.	मंडी	211	नारनौल	महेन्द्रगढ़
11.	करोटा	209	नारनौल	महेन्द्रगढ़
12.	अमरपुर जोरासी	280	नारनौल	महेन्द्रगढ़
13.	मुकुन्दपुर	215	नारनौल	महेन्द्रगढ़
14.	कुलताजपुर	155	नारनौल	महेन्द्रगढ़
15.	नवाज नगर	132	नारनौल	महेन्द्रगढ़
16.	रघुनाथ पुरा	138	नारनौल	महेन्द्रगढ़
17.	रामबास	153	नारनौल	महेन्द्रगढ़
18.	नसीबपुर	162	नारनौल	महेन्द्रगढ़
19.	किरारोड अफगानाना	163	नारनौल	महेन्द्रगढ़
20.	सुराना	183	नारनौल	महेन्द्रगढ़
21.	गुवानी	177	नारनौल	महेन्द्रगढ़
22.	बडकोदा	166	नारनौल	महेन्द्रगढ़
23.	श्यानाथपुरा	184	नारनौल	महेन्द्रगढ़
24.	महेन्द्र गढ	87	महेन्द्रगढ़	महेन्द्रगढ़
25.	बुचोली	76	महेन्द्रगढ़	महेन्द्रगढ़
26.	खारिया	89	महेन्द्रगढ़	महेन्द्रगढ़
27.	झांझरियावास	92	महेन्द्रगढ़	महेन्द्रगढ़
28.	रिवासा	62	महेन्द्रगढ़	महेन्द्रगढ़
29.	सीगरा	65	महेन्द्रगढ़	महेन्द्रगढ़
30.	सीगरी	64	महेन्द्रगढ़	महेन्द्रगढ़
31.	खटोड	90	महेन्द्रगढ़	महेन्द्रगढ़
32.	चामधेडा	85	महेन्द्रगढ़	महेन्द्रगढ़
33.	पाली	39	महेन्द्रगढ़	महेन्द्रगढ़
34.	पालडी (पनिहारी)	38	महेन्द्रगढ़	महेन्द्रगढ़
35.	झूक	56	महेन्द्रगढ़	महेन्द्रगढ़
36.	माजरा कलां	60	महेन्द्रगढ़	महेन्द्रगढ़

क्रमांक	राजस्व भाग	हदबस्त संख्या	तहसील	जिला
37.	पाथेडा	55	महेन्द्रगढ़	महेन्द्रगढ़
38.	बुचावास	68	महेन्द्रगढ़	महेन्द्रगढ़
39.	डुलाना	77	महेन्द्रगढ़	महेन्द्रगढ़
40.	जोनावास	95	महेन्द्रगढ़	महेन्द्रगढ़
41.	ऊंची भांडोरा	88	महेन्द्रगढ़	महेन्द्रगढ़
42.	बीर चितलांग/चितलांग	78	महेन्द्रगढ़	महेन्द्रगढ़
43.	बवानिया	28	महेन्द्रगढ़	महेन्द्रगढ़
44.	सुरजनवास	73	महेन्द्रगढ़	महेन्द्रगढ़
45.	सलीमाबाद	86	महेन्द्रगढ़	महेन्द्रगढ़

[सं० एस-38013/52/2013-एस०एस० I]

सुभाष कुमार, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 31st July, 2013

S.O. 1889.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st September, 2013, as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter -V and VI (except Sub-Section) (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Harayana namely:—

Sr. No.	Name of Revenue Village	Had bast Number	Name of Tehsil	Name of District
1.	Narnaul	159	Narnaul	Mahendergarh
2.	Faizabad	118	Narnaul	Mahendergarh
3.	Lahroda	119	Narnaul	Mahendergarh
4.	Madlana	134	Narnaul	Mahendergarh
5.	Azam Nagar	120	Narnaul	Mahendergarh
6.	Neerpur	6	Narnaul	Mahendergarh
7.	Dhani Bhatthoth	208	Narnaul	Mahendergarh
8.	Seka	192	Narnaul	Mahendergarh

Sr. No.	Name of Revenue Village	Had bast Number	Name of Tehsil	Name of District
9.	Mandhana	194	Narnaul	Mahendergarh
10.	Mandi	211	Narnaul	Mahendergarh
11.	Karota	209	Narnaul	Mahendergarh
12.	Amarpur Jorasi	280	Narnaul	Mahendergarh
13.	Mukundpura	215	Narnaul	Mahendergarh
14.	Kultajpur	155	Narnaul	Mahendergarh
15.	Nawaz Nagar	132	Narnaul	Mahendergarh
16.	Raghunath Pura	138	Narnaul	Mahendergarh
17.	Rambas	153	Narnaul	Mahendergarh
18.	Nasibpur	162	Narnaul	Mahendergarh
19.	Kiarod Afganana	163	Narnaul	Mahendergarh
20.	Surana	183	Narnaul	Mahendergarh
21.	Guwani	177	Narnaul	Mahendergarh
22.	Barkoda	166	Narnaul	Mahendergarh
23.	Seonathpura	184	Narnaul	Mahendergarh
24.	Mahendergarh	87	Mahendergarh	Mahendergarh
25.	Bucholi	76	Mahendergarh	Mahendergarh
26.	Kharia	89	Mahendergarh	Mahendergarh
27.	Janijriyawas	92	Mahendergarh	Mahendergarh
28.	Rewasa	62	Mahendergarh	Mahendergarh
29.	Sigra	65	Mahendergarh	Mahendergarh
30.	Sigri	64	Mahendergarh	Mahendergarh
31.	Khatod	90	Mahendergarh	Mahendergarh
32.	Cham Dhera	85	Mahendergarh	Mahendergarh
33.	Pali	39	Mahendergarh	Mahendergarh
34.	Palri (Panihari)	38	Mahendergarh	Mahendergarh
35.	Jhook	56	Mahendergarh	Mahendergarh
36.	Majra Kalan	60	Mahendergarh	Mahendergarh
37.	Pathera	55	Mahendergarh	Mahendergarh

Sr. No.	Name of Revenue Village	Had bast Number	Name of Tehsil	Name of District
38.	Buchawas	68	Mahendergarh	Mahendergarh
39.	Dulana	77	Mahendergarh	Mahendergarh
40.	Jonawas	95	Mahendergarh	Mahendergarh
41.	Oonchi Bhandore	88	Mahendergarh	Mahendergarh
42.	Bir Chitlang/ Chitlang	78	Mahendergarh	Mahendergarh
43.	Bawania	28	Mahendergarh	Mahendergarh
44.	Surjanwas	73	Mahendergarh	Mahendergarh
45.	Salimabad	86	Mahendergarh	Mahendergarh

[No. S-38013/52/2013-S.S.I]

SUBHASH KUMAR, Under Secy.

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1890.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण, में, केन्द्रीय सरकार मसर्स बी सी सी एल के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. धनबाद के पंचाट (संदर्भ संख्या 52 का 2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08/08/2013 को प्राप्त हुआ था।

[सं. एल-20012/89/2007-आई आर (सी एम-1)]

एम. के. सिंह, अनुभाग अधिकारी

New Delhi, the 8th August, 2013

S.O. 1890.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 52/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the management of The M/s BCCL and their workmen, received by the Central Government on 08/08/2013.

[No. L-20012/89/2007-IR(CM-I)]

M.K. SINGH, Section Office

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No.2) AT DHANBAD.****Present :** Shri Kishori Ram, Presiding Officer.In the matter of an Industrial Dispute under Section 10(1)
(d) of the I.D. Act, 1947**Reference No. 52 of 2007****PARTIES :** Employers in relation to the management
of General Manager, Sijua Area of M/s.
BCCL, Dhanbad and their workmen.**APPEARANCES :**

On behalf of the workman : None

On behalf of the : Mr. D.K. Verma, Ld.
Management Advocate management

State : Jharkhand Industry : Coal

Dated : Dhanbad, the 24th June, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Sec. 10 (1) (d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/89/07 (CM-I) dt. 09.08.07.

SCHEDULE

"Whether the action of the management of Sendra Bansjora Colliery of M/s. BCCL in denying regularization an PR Tramper to Shri Shakalu Khote, M/Loader is justified and legal? If not, to what relief is the concerned workman entitled and from which date?"

Neither any Representative for the Janta Mazdoor Union, Bihar Building, Jharia nor the workman Shakalu Khote appeared nor any witness for the evidence of the workman has been produced despite last chance since pending for it from 18.06.2012. Mr. D.K. Verma, the Ld. Advocate for the Opp./Management is present.

Perused the case record. It is evident from it that despite registered notices to the Vice President of the Union on its address noted in the Reference itself, neither the Union Representative nor the workman responded to any of the notice of the Tribunal. It stands clear the attitude of the Union Representative and of the workman that they are no longer interested to proceed with the case which is

related to a matter of regularization of the workman as P.R. Tramper. Under these circumstances, the case is closed and, accordingly it is passed as no longer industrial dispute.

KISHORI RAM, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1891.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी सी सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं. 1, धनबाद के पंचाट (संदर्भ संख्या 51 का 1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08/08/2013 को प्राप्त हुआ था।

एम.के. सिंह, अनुभाग अधिकारी

[सं. एल-20012/671/1997-आईआर(सीएम-I)]

New Delhi, the 8th August, 2013

S.O. 1891.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 51/1998) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the management, of the General Manager, M/s BCCL and their workmen, received by the Central Government on 08/08/2013.

M.K. SINGH, Section Officer

[No. L-20012/671/1997 - IR (CM-I)]

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO.1), DHANBAD**In the matter of a reference U/S 10 (1) (D) (2A) of I.D.
Act, 1947,**Ref. No. 51 of 1998****Present :** Sri Ranjan Kumar Saran,
Presiding officer**Appearances :**

For the Employers : None

For the workman : Sri S.N. Goswami Advocate

State : Jharkhand Industry: Coal

Dated 29/7/2013

AWARD

By Order No. L-20012/671/97-IR (CM-I), dt. 13/08/98, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of Barora Area I of M/s. BCCL in dismissing from service Sri Jaynath Karmakar is legal & justified? If not to what relief is the workman is entitled?"

2. The case is received from the Ministry of Labour on 01.09.1998. After receipt of the reference, both parties are noticed. The sponsoring Union files their written statement on 12.11.1999, thereafter the management files their written statement-cum-rejoinder on 03.03.2000. After certain dates it is seen that, though the workman has been attending this court. None on behalf of the management attended the Court.

3. This is a case of dismissal of workman on the ground of continuous absent on workplace. The workman has been dismissed from 1993, twenty years has been elapsed by now after 2007, the management, has been noticed by this Tribunal twice by Regd. Post.

4. Since the management an institution is also suffering from absenteeism, and the management fails to produced any evidence to prove the domestic enquiry is fair and proper. It is felt proper to order for reinstatement of the workman without any back wages.

5. Considering the facts and circumstance of this case, I hold that the action of the management of Barora Area No. 1 of M/s. BCCL in dismissing the service of Sri Jaynath Karmakar is not legal and justified? Hence the workman be reinstated immediately after notification of this award and he be not awarded any back wages.

This is my award.

R. K. SARAN, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1892.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एफ सी आई के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय अहमदनगर के पंचाट (संदर्भ संख्या 30/2010) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.08.2013 को प्राप्त हुआ था।

[सं० एल 22012/362/2007-आईआर (सीएम-II)]

बी०एम० पटनायक, डेस्क अधिकारी

New Delhi, the 8th August, 2013

S.O. 1892.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 30/2010) of the Cent. Govt. Industrial Tribunal, Ahmednagar as shown in the Annexure, in the industrial dispute between the management of Food Corporation of India and their workmen, received by the Central Government on 08.08.2013.

[No. L-22012/362/2007-IR (CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE

IN THE FIRST LABOUR COURT AT AHMEDNAGAR

(Shri V.V. Vidwans (M.A., L.L.M.) Presiding Officer & Judge First Labour Court, Ahmednagar.)

Reference IDA No. 30/2010

1. Divisional Manager,
Food Corporation of India,
Mistri Bhavan, Dinsha wachha Road,
Mumbai. First party

Vs

I. Balasaheb Ambadas Gund,
R/o Satpute Galli, Kedgaon,
Ahmednagar. Second Party

Coram— Shri V.V. Vidwans, Presiding officer, & Judge, First Labour Court, Ahmednagar.

Appearance— Shri S.B. Bhor Standing Counsel, Government of India, Ahmednagar.

Shri K.Y. Modgekar Advocate for second party.

AWARD

(Delivered on 6.10.2012)

1. This is a reference by Central Government, Ministry of Labour and Employment New Delhi U/S 10(1) (d) of Industrial Dispute Act, 1947. The dispute referred for adjudication to this court is whether the action of

Management of Food Corporation of India, Ahmednagar in terminating the services of Second Party Shri Balasaheb Ambadas Gund *w.e.f.* 1.9.1997 is legal and justified and whether, the second party is entitled to the relief prayed for. The facts of the claim of Second Party is per Exh U-3, are as under—

2. The first party is a corporation having its establishment at Ahmednagar and works under the control of Central Government having its regional office at Mistri Bhavan, Dinsha Wachha road Mumbai. The First Party deals with purchase and storage of food grain from local market and its distribution. It has engaged several workers to carry out its activities.

3. The second party was a 'workman' of First Party. He was working from the year 1990 with the First Party at Kedgaon, Ahmednagar. He was made member of provident fund scheme as per rules. The Second party was getting wages @ Rs. 14 per day. His services were clean and without any blemishes. However, his services were orally terminated by the first party *w.e.f.* 1.9.1997. The first party had continued the services of Shri Somnath Nalawade, Gorakh Shinde, Bhimrao Gade, Balu Jagtap, Kushaba Sul, Raju Thombare, who were junior to the second party. It is submitted that the second party had completed 240 days continuous service during last 12 months before this termination on 1.9.1997, and therefore, he was entitled for prior notice, notice pay in lieu of the same and compensation, as per provisions of law. Under these circumstances, it is alleged that the oral termination of the second party is illegal and liable to be set aside. The second party is entitled to be reinstated in service, with continuity and back wages.

4. The first party has appeared before the court on receipt of notice and has opposed the claim of the second party by submitting written statement at Exh C-4. The first party has denied all adverse allegations and submitted that the Reference in respect of the dispute raised by the second party is not maintainable in law, because, there was no master and servant relationship between the first and second party. It is submitted that, the second party was employed by mathadi kamgar Mazdoor Santha Ltd. Kedgaon, Ahmednagar on contract basis, as per work load, on day today basis. It is further submitted that this important aspect has been deliberately suppressed by the second party.

5. It is a case of first party that as per F.C.I. New Delhi letter dated 14.6.96 certain conditions were stipulated for eligibility of workers under, "direct payment system". There was a committee to find out eligible workers. It is lastly submitted that the second party had lodged a complaint

for his absorption/reinstatement, with mathadi Kamagar Mazdoor Santha Ltd. Kedgaon and society appears to have assured second party regarding his absorption in near future as per contract system. However, the first is not under any obligations to consider the claim raised by the second party in the present reference. Hence, the reference is liable to be answered in the negative.

6. During the pendency of the present proceeding the second party had filed an application at Exh U-4 seeking production of document by the first party. The said application was allowed as per order 15.7.2011. But, it appears that order is not complied with by the first party.

7. For proving his claim the second party has filed documents along with Exh U-8/1 to 4 and led oral evidence as per evidence affidavit at Exh U-9. The first party and his counsel remained absent for cross examination of the second party. Therefore, the evidence affidavit of second party is accepted on record without cross examination.

8. I have heard oral submissions of the Shri Modgekar Advocate at length at the time of final hearing. None present of first party when called. As per order on Exh O-1, the right of first party to lead evidence was forfeited as per order dated 30.7.2012.

9. The issues in the proceeding have been framed at Exh O-5. The same are reproduced, along with my findings and reasons as under—

ISSUES	FINDINGS
1. Whether the Second party prove that his services are terminated illegally <i>w.e.f.</i> 1.9.1997?	Yes.
2. If yes, Whether Second party is entitled for reinstatement with continuity of service?	Yes.
3. Whether the Second party is entitled for back wages?	No.
What order?	As per final order.

10. As to issues No. 1 and 2 : In this regards, Shri Modgekar Advocate on behalf of second party submitted that the first party is a corporation under the control of Central Government and bound by rules and regulations under labour and Industrial laws. It was incumbent upon the first party to provide work to the workers by maintaining seniority list and regularize their services as per seniority.

11. He argued that the second party was working with a first party at its Kedgaon (Ahmednagar) Vakhar, as a laborer. His services were orally terminated from 1.9.1997 without notice, notice pay or compensation. No. enquiry was conducted by the first party before terminating his

services. He submitted that the second party had worked for more than 240 days continuously during last 12 months before 1.9.1997. His last pay was @ Rs. 14 per day. The first party has continued the services of worker who are Juniors to the second party. Their names have been mentioned in Paragraph No. 3 of U-3 and also in evidence affidavit at Exh U-9. Therefore, the action of the first party to over the terminate the services of the second party is in breach of provisions of section 25 F and 25G of the Industrial Disputes Act, 1947. Shri Modgekar Advocate submitted that initially the work was provided to the workers through Mathadi Mazdoor Sangh. But from 1.5.1996, the contract system has been abolished. The first party has confirmed the services of 28 workers who have completed continuous service for 9 months before April 1996. He submitted that the claim for regularization of service and grievance regarding termination of services, are different; All the documentary evidence is with the first party. But, it has not complied with the order of this court passed on Exh U-4 on 15.7.2011.

Hence, the oral evidence of the second party at Exh U-9 deserves to be accepted, as it has gone unchallenged, for want of cross examination. Shri Modgekar advocate lastly submitted that as per section 21 of the Contract Labour Act, 1970 the principle employer is liable to pay the wages of the laborer, even as per Contract Labour Act. Hence, the first party was under the obligations to pay compensation to the second party. In support of his submissions, Shri Modgekar Advocate has relied upon the following authorities—

1. Senior Regional Manager, Food Corporation of India, Calcutta Vs. Tulsi Das Bauri and ors. (FLR 1997-(76) page (493)
2. Rajasthan Co-operative Dairy Federation Ltd. Vs. The Judge, Industrial Tribunal and Labour Court, Bikaner (2001-(2) Bom LC 285 (Raj)
3. Anoop Sharma Vs. Exective Engineer, Public Health division No. 1, Panipat (Haryana) (2010 Supreme Court cases 497)

12. I gone through, the pleading of both sides and taken in to consideration the oral submissions of the learned counsel for the second party with reference to the documentary and oral evidence on record.

13. In view of order on Exh U-4 dated 15.7.2011 the first was required to produce the relevant documents relating to the claim of second party. But, it has failed to comply with the same. Hence, it is a fit case to draw an adverse inference against the first party.

14. It has come in evidence of the second party that he was working with the first party and his services were orally terminated from 1.9.97 without notice, Notice pay in

view of notice and compensation As per Exh U-8/1 to 4, the second party has produced documents on record to show that he had made representations for his reinstatement alongwith other four workers. Considering the oral evidence of second party at Exh U-9 and in absence of any other documentary evidence on record, this court is constrained to accpet the avernment of the second party regarding his continuous service of 240 days during last 12 months before his termination. As per the case law cited by learned counsel for second party, it is clear that even as per the Contract Labour Act, the principle employer is liable to pay wages which included arrears of wages. As per the authority of Hon'ble Rajsthan, High Court and Supreme Court cited at Sr. No. 2 and 3, non compliance of provisions of section 25 F and 25 G of Industrial Dispute Act, is bound to result in reinstatement of the workers with continuity of service, as a oral termination of the second party is found illegal. Hence issue No. 1 and No. 2 are answered in the affirmative.

15. *As to issue No. 3* : So far as this issue is concerned in view of findings against issue No. 1 and 2 and also after considering the pleading of second party and his oral evidence at Exh U-9, it is clear that through the second party had stated that after termination of his services he had tried to get alternative work, no work was available. However, now he is earing his livelihood by doing labour work along with his family members. But the second party has failed to give details of various affects he had made for getting alternate job. Therefore, second party has failed to discharge his burden in this regard. Under these circumstances, I am inclined to hold that, the second party is having alternate source of earning since the year 1997. till today. Hence, the second party is not entitled for back wages in the present case. Issue No. 3 answer in the negative accordingly.

16. In view of above discussion and findings against the issues No. 1 to 3 above, I have come to the conclusion that the reference is liable to be answered partly in the affirmative as per following order:—

ORDER

1. The Reference is partly answered in the affirmative.
2. It is held that, the oral termination of the second party *w.e.f.* 1.9.1997 by the first party is illegal, being in contraven section 25 F and 25 G of Industrial Disputes Act, It is, therefore, set aside.
3. The first party is directed to reinstate the second party 'workman' Balasaheb Ambad Gund R/o Satpute Galli, Kedgaon Distt. Ahmednagar with continuity of service, with consequential benefits, if any.
4. The prayer of the second party for the claim of back wages is hereby refused.

In the circumstances of the case parties to bear their own costs.

Date : 6.10.2012

V. V. VIDWANS, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1893.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एम सी एल के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय भुवनेश्वर के पंचाट (संदर्भ संख्या 85/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08.08.2013 को प्राप्त हुआ था।

[सं एल-22012/61/2012-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 8th August, 2013

S.O. 1893.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 85/2012) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure, in the industrial dispute between the management of Jagannath Area of MCL, MCL, Jagruti Vihar, At/Po : Burla, and their workmen, received by the Central Government on 08.08.2013.

[No. L-22012/61/2012-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT BHUBANESWAR

Present :

Shri J. Srivastava,
Presiding Officer, C.G.I.T.-cum-Labour
Court, Bhubaneswar.

INDUSTRIAL DISPUTE CASE No. 85/2012

Date of Passing Order - 28th June, 2013

Between :

1. The General Manager,
Jagannath Area of MCL,
At./Po. Dera, Angul,
2. The Director (Personnel),
MCL, Jagruti Vihar, At./Po. Burla,
Sambalpur.1st Party-Managements

(And)

Their workman represented through the
General Secretary, Talcher, Coal Mines
Employees Union, At. Qr. No. 1B-103,
P.O. South Balanda, Angul.

...2nd Party-Union.

Appearances:

For the 1st Party : None.
Management No. 1 & 2.

For the 2nd Party- : None.
Union.

ORDER

This reference was received in this Tribunal on 23.11.2012. As per directions of the Government, the 2nd Party-Union has to file the statemnet of claim within fifteen days of the receipt of the order of reference. But the 2nd Party-Union did not file any statement of claim despite lapse of a period of two months. Therefore a notice was issued to the 2nd Party-Union on 29.1.2013 directing it to file the statement of claim by 12.3.2013, but the 2nd Party-Union did not respond on the date fixed. Hence another notice was issued to it on 22.3.2013 fixing 29.4.2013 for filing of statement of claim. But on that date also, neither the 2nd Party-Union appeared nor filed any statement of claim. Hence order was passed to issue notice to the 2nd Party-Union through regd. post and accordingly the registered notice was sent to the 2nd Party-Union on 6.5.2013. But even then, the 2nd Party-Union did not turn up nor file any statement of claim. Therefore it seems that the 2nd Party-Union is not interested in prosecuting its case. It might be that the Union had settled its dispute with the 1st Party-Management amicably out of the court.

2. Under these circumstances it will of no use to keep the case pending any more. Hence a no-dispute award is required to be passed in the case. According a no-dispute award is passed.

3. The reference is answered in the above terms.

JITENDRA SRIVASTAVA, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1894.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ौदा के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 117/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01/8/2013 को प्राप्त हुआ था।

[सं० एल-12012/182/2004-आईआर (बी-II)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th August, 2013

S.O. 1894.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the Award (CGIT/LC/R/No. 117/2004) of the Central Government Industrial Tribunal/Labour Court, Jabalpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government of 01.08.2013.

[No. L-12012/182/2004-IR(B-II)]

SUMATI, SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/117/2004

Presiding Officer : SHRI R.B. PATLE

Shri Naresh Kumar Jauwari,
S/o Shri Pooranlal Jauwari,
R/o Udaibhan Yadav ka Makan,
Chuai Khadan,
Near Jogni Nagar, Rampur,
Jabalpur

Workman

Versus

Branch Manager,
Bank of Baroda,
Napier Town,
Jabalpur

Management

AWARD

Passed on this 15th day of July 2013

1. As per letter dated 9-11-2004 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No. L-12012/182/2004-IR(B-II). The dispute under reference relates to:

"Whether the action of the management of Bank of Baroda, Napier Town, Jabalpur in terminating the services of Shri Naresh Kumar Jauwari S/o Shri Poran Lal Jauwari is legal and justified? If not, what relief is the concerned workman entitled to?"

2. After receiving reference, notices were issued to the parties, Ist party workman filed statement of claim at Page 3/1 to 3/2. The case of Ist party workman is that he was employed as part-time safaiwala in the IInd party Bank from 15-9-92. He was regularly working from 15-9-92 to 16-9-2001. His services were illegally terminated. The workman submits that he was earning wages as per recommendation of the Commission. According to law, he was entitled to be regularized as full time worker instead his services were arbitrarily terminated. After he initiated conciliation proceeding, appropriate Government has made reference. The workman prays for reinstatement with consequential benefits.

3. IInd party filed Written Statement at Page 8/1 to 8/6. IInd party denied claim of the workman. It is also contented that reference is not tenable, no dispute lies against Branch Manager. The workman claimed regularization in Bank Service. Manager is not competent authority to appoint anybody. The reference is highly belated as it is raised after lapse of several years. IInd party has referred to large number of ratio held in different cases on the point of tenability of reference. That the appointments in IInd party are preceded by certain formalities for selection process. It is contented that Ist party is not covered as workman under Section 2(s) of I.D. Act. that regularization of service arises only when person is employed after appointment. That appropriate Government cannot decide disputed questions of fact.

4. The daily wager has no right to hold the post. The expression "Daily Wager" indicates subject to availability of work. It is further submitted that Ist party workman did not worked continuously for 9 years as claimed by him. He was engaged by Branch on daily wages for sweeping, cleaning of the branch in absence of regular sub-staff Ist party workman was not appointed by Bank. He has not worked for 240 days. On above facts, the IInd party prays that the workman is not entitled to any relief prayed by him.

5. Workman filed rejoinder at Page 9/1 to 9/2 reiterating his earlier contentions that he was continuously working in IInd party from 15-9-92 to 16-9-2001. That his services were arbitrarily terminated. The reference is not filed belatedly.

6. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|---|--------------------|
| “(i) Whether the action of the management of Bank of Baroda, Napier Town, Jabalpur in terminating the services of Shri Naresh Kumar Jauwari S/o Shri Poran Lal Jauwari is legal?” | In Negative |
| “(ii) If so, to what relief the workman is entitled to?” | As per final order |

REASONS

7. Ist party workman is challenging legality of his termination. He claims that he was working as regular sweeper from 15-9-92 to 16-9-2001. He had completed 240 days continuous service. His services were terminated illegally. In support of his claim, affidavit of evidence is filed. He has stated most of the facts pleaded in his statement of claim. That he was regularly working as sweeper from 15-9-92 to 16-9-2001. He was paid wages at Collector Rate. He continuously worked for 9 years with the IInd party. He has received arrears of pay Rs. 13,265 in 1998. His services were terminated without notice or without assigning any reasons. Provisions of I.D. Act were not followed. He has produced documents. In his cross-examination, workman says that orally he was directed to sit in the premises. He was called through peon by the Branch Manager. He was paid wages under voucher. Voucher is to be prepared in his name. No written test was held. His name was not sponsored through Employment Exchange. He was doing cleaning work after opening of the Bank. He was staying whole day in the Bank. The cleaning work was done for 2 hours. The evidence of workman that he was paid wages as per collector rate, he was paid arrears Rs. 13,265 remained unchallenged. The evidence that his services were terminated without notice or without assigning any reason remained unchallenged. His evidence that he worked for 9 years and obtained temporary status also remained unchallenged. He worked for more than 240 days remained unchallenged.

8. The witness of the management S. Antony Swamy in his affidavit of evidence have stated that while he was working as Manager in Napier Town branch from June 96 to Dec. 99, Ist party workman was engaged as sweeper as and when required basis. He was paid daily wages, he did the sweeping work of premises of the Bank for 1-2 hours. That he was never engaged continuously, he was not working for 240 days in any calendar year. That Branch Manager are not competent to appoint sub-staff. The claimant was not sponsored through Employment

Exchange. His selection is made out of candidates by selection Committee constituted by the Bank. That factual position is that he was engaged merely on daily wages. Witness denied wrongful termination of Ist party.

9. In his cross-examination, witness of the management says from June 96 to Dec. 99, he was working as Manager, Ist party workman was working during the said period. He claims ignorance whether workman was working prior to it. Management's witness did not remember how much wages were paid to the workman, possibly he was paid Rs. 170 per month. Amount of arrears was paid during his tenure. Branch Manager has no power to appoint sub staff. That workman was not part-time employee. Again witness says that Exhibit P-1 is issued from his office.

10. From the evidence of management's witness it is clear that the workman was working from June 96 to Dec. 99 almost 3½ years. His services are terminated without notice, the evidence on above point remained unchallenged. I do not find reason to disbelieve evidence of workman as it gets corroboration from evidence of management's witness. Workman has not produced documents that he was working in the Bank continuously from 1992 to 2001. Exhibit W-2 is the order of reference. Any co-employee is not examined, payment vouchers are not produced or proved by the workman.

11. Considering evidence discussed above, it is clear that workman had continuously worked for 3½ years. His services were terminated without notice, without paying retrenchment compensation, without paying salary in lieu of notice. Thus termination of service of workman is in violation of Section 25-F of I.D. Act. For above reasons, I record my finding in Point No. 1 in Negative.

12. Point No. 2—In view of my finding on Point No. 1, termination of service of workman are illegal. The evidence clearly shows that workman was working for 3½ years for short period. His name was not sponsored through Employment Exchange. He was not selected by any Committee, he was appointed by Branch Manager, therefore, he would not be entitled to reinstatement.

13. Learned counsel for IInd party Mr. Shashi relies on ratio held in:—

"Case of Lal Mohammad and others *versus* Indian Railway Construction Co. Ltd. reported in 2007(2) SCC 513. Their Lordship of the Apex Court held the employees working under the scheme, project has not right so as to claim regularization and their services with regular pay scales."

The facts of case at my hand are not comparable. There is no evidence. Workman was not appointed under any scheme for specific period rather the evidence shows that he was continuously working for 3½ years. Therefore, the ratio held in above cited case cannot be applied to present case.

Their Lordship further held the employees of projects, schemes run by Government Corporations, benefits available to effect of service conditions being wholly governed by I.D. Act, there is no question of violation of Article 14, 16 & 21 on termination of their services as the employees concerned were employees of the project they have taken their benefits as are admissible under I.D. Act.

The ratio held on above point has no bearing to the controversy between parties in the present case. From evidence on record, it is clearly established that the services of Ist party workman are terminated in violation of Section 25-F.

14. Copy of award in R/8/97 Shri Vijay Kumar Rajak *versus* Bank of Baroda is submitted for my perusal by learned counsel for management. From reading of para-7 it is clear that in the case in which award was passed, photocopies of vouchers were filed by workman. Exhibit W-1(a) to W-1(u) for the period from 16-10-94 to 14-9-95 and it is secondly held the wages were of more than 240 days. Such evidence is not adduced on record of the present case. The management's witness in his cross-examination has stated that workman was continuously working with him from June 96 to December 99. Therefore, the ratio held in the case needs no detailed discussion.

15. Reliance is also placed in:—

"Case of Gangadhar Pillai *versus* M/s Siemens Ltd. reported in 2007-LAB-I.C.590. Their lordship observed further it is not the law that on completion of 240 days of continuous service in a year, the concerned employee becomes entitled to for regularization of his services and/or permanent status. The concept of 240 days in a year was introduced in the industrial law for a definite purpose. Under the Industrial Disputes Act, the concept of 240 days was introduced so as to fasten a statutory liabilities upon the employer to pay compensation to the computed in the manner specified in Section 25-F of I.D. Act before he is retrenched from service."

In present case, the evidence discussed above clearly shows that provisions of Section 25-F of I.D. Act were violated while terminating the services of Ist party workman.

He was not served with notice, retrenchment compensation was not paid, reasons for retrenchment were not informed. However he had worked for short span of about 3½ years. Calculating retrenchment compensation 15 days for one year service, workman will be entitled to compensation equal to 53 days wages, 30 days salary as pay in lieu of notice, considering short span of service, no recruitment procedure was followed, compensation Rs. 1 Lakh would be appropriate. Accordingly I record my finding in Point No. 2.

16. In the result, award is passed as under:—

1. The action of the management of Bank of Baroda, Napier Town, Jabalpur in terminating the services of Shri Naresh Kumar Jauwari S/o Shri Poran Lal Jauwari is illegal.
2. Management is directed to pay compensation Rs. 1 Lakh, 53 days wages towards retrenchment compensation and 30 days wages in lieu of notice.

Amount as per above order shall be paid to workman within 30 days. In case of default, amount shall carry 9% interest per annum from the date of award till its realization.

R. B. PATLE, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1895.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स एफसी आई के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय लखनऊ के पंचाट (संदर्भ संख्या 65/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 08/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/274/2007-आई आर (सी एम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 8th August, 2013

S.O. 1895.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 65/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of Food Corporation of India, and their workmen, received by the Central Government on 08/08/2013.

[No. L-22012/274/2007-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT LUCKNOW****Present :**

DR. MANJU NIGAM, Presiding Officer

I.D. No. 65/2007

Ref. No. L-22012/274/2007-IR(CM-II) dated 20.11.2007

BETWEEN

The State Secretary
Bhartiya Khadya Nigam Karmchari Sangh
DC/3V, Vibhuti Khand
Gomti Nagar
Lucknow.

(Espousing cause of Shri Subhash Chandra)

And

1. The Area Manager
Food Corporation of India
Distt. Office, Moradabad
Uttar Pradesh
2. The General Manager (UP)
Food Corporation of India
DC/3V, Vibhuti Khand
Gomti Nagar, Lucknow.

AWARD

1. By order No L-22012/274/2007-IR(CM-II) dated 20.11.2007 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between The State Secretary, Bhartiya Khadya Nigam Karmchari Sangh, DC/3V, Vibhuti Khand, Gomti Nagar, Lucknow and the Area Manager, Food Corporation of India, Distt. Office, Moradabad, Uttar Pradesh & the General Manager (UP), Food Corporation of India, DC/3V, Vibhuti Khand, Gomti Nagar, Lucknow for adjudication.

2. The reference under adjudication is:

"Whether the action of the Management of Food Corporation of India in Imposing recovery of Rs. 37,236.57 upon Shri Subhash Chandra, AG-II (Depot) vide Penalty Order dated 31.12.2003 is legal and justified? If not, to what relief is the workman entitled?"

The case of the workman's union, in brief, is that a recovery of Rs. 30,761.60 and Rs. 6474.97, total Rs. 37236.57

in the year 2001-2002 was made from the workman, Subhash Chandra, AG-II (Depot) while working at Moradabad without issuing any charge sheet or show cause etc. It has further been alleged that the management imposed another recovery *vide* order dated 31.12.2003 without issuing any charge sheet etc. It is also stated that the workman took voluntary retirement in the year 2004. The workman's union has submitted that the management action in imposing various penalties without issuing any charge sheet was in disregard to the principle of natural justice and also regulation 60(1)(d) of the Staff Regulation Act, 1971; and accordingly, has prayed that the impugned orders imposing illegal recoveries upon the workman be set-aside and the management be directed to refund the entire amount so recovered to the workman.

4. The management of the FCI has filed its written statement denying the claim of the workman's union; wherein it was submitted that the workman was issued a charge sheet before imposition of the penalties and also the workman had an opportunity to prefer departmental appeal against the penalties; but the workman did not do so, hence the present dispute is not maintainable as the workman did not avail alternative remedy available to him. It is also submitted that sum of Rs. 30761.60 had been recovered from workman by District Office, Haldwani and Rs. 6474.97 were recovered thereafter. Moreover, it was also informed to the workman on 01.10.2004 that a sum of Rs. 10,174 shall be recovered from his VRS payment, therefore, his contention that no notice was given to him is baseless. Accordingly, the management has prayed that the claim of the workman's union be rejected outrightly without any relief to the workman concerned.

5. The workman's union has filed its rejoinder to the written statement whereby it has introduced nothing new apart from repeating the averment already made in the statement of claim.

6. The parties filed documentary evidence in support of their claim. The workman's union examined the workman whereas the management examined Shri Amrit Lal Sethi, Area Manager in support of their respective stands. Parties availed the opportunity to cross-examine the witnesses of each other and forwarded oral arguments also.

7. The authorized representative of the workman's union has argued that the management worked in the utter violation of the Staff Regulations by not issuing any charge sheet to the workman and by not calling for his reply or by not giving him any notice before imposing the penalties of different recoveries. He has submitted that this act of the management is against the principles of natural justice and

accordingly, the recoveries are liable to be set aside and the money so recovered are liable to be refunded to the workman.

8. In rebuttal, the authorized representative of the management has argued that the workman had been given in writing about his recovery and the recovery of Rs. 30761.60 had been made as per advice of Debit No. 62/26 dated 08.05.2002 amounting to Rs. 37236.52. The amount was to be recovered from the workman as per penalties passed by the Disciplinary Authority after adopting the laid down procedure of departmental proceedings while the workman was posted under District Office, Haldwani. He has further submitted that the workman agitated six such penalties before this CGIT-cum-Labour Court, Lucknow *vide* I.D. No. 52/2004; and this Tribunal had set aside as many as four penalties, which resulted into refund of an amount of Rs. 68952.80 *vide* cheque No. 118276 dated 15.07.2010. Accordingly, he has argued that the present industrial dispute becomes infrastuous as the amount recovered has already been refunded to the workman.

9. I have given any thoughtful consideration to the river contentions of the parties and scanned the evidence available on file in light thereof.

10. The case of the workman's union is that the management has neither issued any charge sheet nor any notice before passing the impugned orders of recovery. Likewise, he was not given any opportunity to defend himself.

11. Per contra, the management of the FCI has come forward with the case that the prescribed procedure of departmental proceedings were adopted before imposing penalties and the amount of Rs. 37236.52 was recovered from the workman as per advice of Debit, on his transfer from District Office, Haldwani to the District, Morabadad. But the amount so recovered had been refunded to the workman consequent to award in I.D. No. 52/2004, which included the amount of Rs. 37236.52; hence, there left nothing to refund to the workman at this juncture.

12. The management in its oral evidence has stated that the amount of Rs. 37236.52 was recovered from the workman, as per advice of Debit No. 62/26 dated 08.05.2002, consequent to penalties. The said penalties were agitated by the workman *vide* I.D. No. 52/2004 before this Tribunal. This Tribunal set aside as many four penalties *vide* its award dated 14.01.2009, resulting into refund of Rs. 68952.80

to the workman *vide* Cheque No. 118276 dated 15.07.2010 and this included amount disputed in the present industrial dispute. There is no cross-examination by the workman's union on this issue that said amount of Rs. 68952.80 had not been refunded to the workman; rather, an acknowledgement dated 15.07.2010, duly signed by the workman, paper No. 20/27 is on the record. This goes to show that the workman is in receipt of amount that had been recovered from his earlier.

13. Thus, in view of the facts and circumstances of the case and discussions made hereinabove, I am of the considered opinion that the amount claimed by the workman has already been refunded to the workman *vide* Cheque No. 118276 dated 15.07.2010 and accordingly, the workman's union case fails and consequently, the workman concerned is not entitled for any relief as the amount of Rs. 37,236.57, claimed by him, has already been refunded to him *vide* paper No. 20/27 by management of FCI.

14. The reference under adjudication is answered accordingly.

Lucknow

23rd July, 2013.

Dr. MANJU NIGAM, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1896.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक प्रबंधन के संबंध निर्यातकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या 8/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01/08/2013 को प्राप्त हुआ था।

[सं० एल-12011/21/2005-आई आर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th August, 2013

S.O. 1896.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 8/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 01/08/2013.

[No. L-12011/21/2005-IR(B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****No. CGIT/LC/R/8/2007****Presiding officer : Shri R.B. Patle**

General Secretary,
SBI Staff Congress (Bhopal Circle),
MIG1/6, Shivani Complex, 6 No. Shop,
Shivaji Nagar,
Bhopal (MP) ...Workman/Union

Versus

Chief General Manager,
State Bank of India,
Local Head Office,
Bhopal (MP) ...Management

AWARD

Passed on this 16th day of July, 2013

As per letter dated 4-1-2007 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I.D. Act, 1947 as per Notification No. L-12011/21/2005-IR(B-I). The dispute under reference relates to:

"Whether the transfer orders issued in respect of Members/office bearers of the SBI Staff Congress were in accordance with the provisions of Shastri Award and as per the redeployment and Transfer Policy's Agreement dated 22-7-2003? If not, what relief the concerned workmen are entitled to?"

2. 1st party workmen are challenging their transfer orders in the dispute under reference. Even after issuing notices, the Union did not participate in the proceeding, no statement of claim is filed. 1st party is proceeded ex parte on 25-11-11.

3. 2nd party management also not filed Written Statement. From conduct of the parties, it is clear that the parties are not pursuing or participating in the dispute.

4. In the result, award is passed as under:-

"Reference is disposed of as No Dispute Award."

R. B. PATLE, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1897.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ संख्या 66/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01/08/2013 प्राप्त हुआ था।

[सं० एल-12012/179/98-आई आर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th August, 2013

S.O. 1897.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 66/99) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 01/08/2013.

[No. L-12012/179/98-IR(B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR****No. CGIT/LC/R/66/99****Presiding Officer : Shri R.B. Patle**

Shri Ram Shankar Sharma,
C/o Anandkumar Jain, 34A, Teela,
Jamalpur, Near Gopal Mandir,
Bhopal ...Workman

Versus

Zonal Manager,
State Bank of India,
Zonal Office, Hamidia Road,
Bhopal ...Management

AWARD

Passed on this 23rd day of July, 2013

As per letter dated 22-1-99 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section-10 of I. D. Act, 1947 as per Notification No. L-12012/179/98/IR(B-I). The dispute under reference relates to:

"Whether the action of management of Zonal Manager State Bank of India in terminating the services of Shri Ram Shankar Sharma w.e.f. December 1984 is justified? If not, to what relief the workman is entitled for?"

2. After receiving reference, notices were issued to the parties. 1st party workmen filed statement of claim at Page 3/1 to 3/4. The case of 1st party workman is that he had worked for 90 days in the Bank as Messenger in 1984. He was performing duty satisfactorily. No charge-sheet was issued to him. No enquiry was conducted against him. His performance was enough to consider for regular employment. That he had put 90 days service. His services were illegally terminated. That his claim for regularization was not considered. He was not provided employment. The termination of his services is illegal. Workman has referred to ratio held in various cases held by Supreme Court and prays for his reinstatement with consequential benefits.

3. IInd party filed Written Statement at Page 7/1 to 7/5. IInd party submits that 1st party workman was employed purely as temporary casual employee at Harda Branch. His services were intermittently utilized for 102 days. The breakup of the period of service is given 90 days during April to July 94, 12 days during August to December 84. Workman was not employed as Messenger. The termination of services is not covered under Section 2(oo) of I.D. Act. That it is covered under Section 2(oo)(bb) of the Act. The workman had not completed 240 days continuous service. He is not entitled to protection under Section 25-F of I.D. Act. All other material contentions of 1st party are denied. IInd party prayed for rejection of the claim of workman.

4. Considering pleadings on record, the points which arise for my consideration and determination are as under. My findings are recorded against each of them for the reasons as below:—

- | | |
|---|------------------------------------|
| (i) Whether the action of the management of Zonal Manager State Bank of India in terminating the services of Shri Ram Shankar Sharma w.e.f. December 1984 is legal? | In Affirmative |
| (ii) If so, to what relief the by workman is entitled to? | Relief prayed workman is rejected. |

REASONS

5. Though workman is challenging termination of his services, the workman has failed to adduce his evidence. He is proceeded ex parte on 16-1-07. The case was adjourned for ex parte evidence of the management. Management has not adduced any evidence. It is clear that the parties in the reference proceeding are not participating in the reference therefore No dispute award deserves to be passed.

6. According I hold and pass the award as under:—

"Parties do not participate in reference proceeding, therefore No Dispute Award is passed."

R.B.PATLE, Presiding Officer

नई दिल्ली, 12 अगस्त, 2013

का०आ० 1898.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चण्डीगढ़ के पंचाट (संदर्भ संख्या 1074/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01/08/2013 प्राप्त हुआ था।

[सं० एल-12012/234/96-आई आर (बी-I)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 12th August, 2013

S.O. 1898.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 1074/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Chandigarh as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 01/08/2013.

[No. L-12012/234/96-IR(B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present : Sri A.K. Rastogi, Presiding Officer

Case No. I.D. No. 1074/2005

Registered on 21.9.2005

The General Secretary, SBI Staff Congress, 1304/23B,
Chandigarh.

...Petitioner

Versus

The General Manager, State Bank of India, R-III, Z.O
PB, Sector 17, Chandigarh.

...Respondent

APPEARANCES

For the workman : Sh. Raj Kaushik, Adv.

For the Management : Sh. S.K. Gupta, Adv.

AWARD

Passed on 10.07.2013

Central Government *vide* Notification No. L-12012/234/96-IR(B-I) Dated 9.7.1997, by exercising its powers under Section 10 of sub-section (1) Clause (d) and sub-section (2-A) of the Industrial Disputes Act, 1947 (hereinafter referred to as 'Act') has referred the following Industrial Dispute for adjudication to this Tribunal:—

"Whether the action of the management S.B.I. rep. through AGM-III, SBI, Z.O. Pb, Sector 17, Chandigarh in initiating disciplinary proceedings by way of charge-sheet dated 1.11.1995 against Sh. O.P. Bhagat, Clerk-cum-Cashier for misappropriation of bank's money besides trial *vide* FIR dated 6.10.1995 after bifurcation of various incidents of one charge (i.e. misappropriation of bank money) is just and legal? And in accordance with para 521(1) of Shastri Award? If not to what relief to the workman is entitled and from which date?"

As per claim statement workman was working as Clerk-cum-Cashier at Basti Shekh Jalandhar Branch. He was charge-sheeted for misappropriating bank's money/ money belonging to depositors of the bank. He was placed under suspension and in FIR was also lodged subsequently. According to the workman while lodging the FIR the bank kept certain entries for charge-sheeting the workman and charge-sheeted him. The act of management for starting disciplinary proceedings has been alleged to be against the Shastri Award and it has been prayed that the management be directed to stop proceeding with any action proposed to the basis of inquiry conducted.

Claim was contested by the management and it was alleged that the criminal case and the departmental inquiry conducted by the management are independent and for the different incidents and charges. The departmental inquiry did not prejudice the interest and defence of the workman in any manner. The action of the management is quite legal and justified.

Parties led their evidence in the case and the management besides the other document placed on record the dismissal order dated 24.9.2004 and the order of the

appellate authority. An award dated 23.9.2004 in ID No. 191 of 1999 of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh in State Bank of India Vs. O.P. Bhagat is also on record. In ID No. 191 of 1999 the Tribunal had allowed the application of the bank under Section 33 of I.D. Act and granted permission to management to proceed with the proceedings of the inquiry and take the same to its logical end. Consequently, the inquiry was conducted and order of dismissal from service was passed. Under the circumstances the learned counsel for workman also gave his statement on 1.4.2013 that the reference has become infructuous in view of the passing of dismissal order. Learned counsel for management also agreed that the present reference has no legs to stand.

Since the punishment order has been passed in the inquiry against the workman hence, as admitted by the parties also the reference has become infructuous and the referred industrial dispute does not exist. The reference is accordingly decided. Hard copy and soft copy of the award be sent to the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 12 अगस्त, 2013

का०आ० 1899.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चंडीगढ़ के पंचाट (संदर्भ संख्या 1072/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 01/08/2013 को प्राप्त हुआ था।

[सं. एल-12012/10/2000-आई आर (बी-1)]
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 12th August, 2013

S.O. 1899.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 1072/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 2, Chandigarh as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 01/08/2013.

[No. L-12012/10/2000-IR(B-I)]
SUMATI SAKLANI, Section Officer

ANNEXURE**IN THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-II,
CHANDIGARH****Present :** Sri A.K. Rastogi, Presiding Officer**Case No. I.D. No. 1072/2005**

Registered on 20.9.2005

Sh. Deena Nath S/o Keshva Nand, R/o Village Vazzer,
P.O. Maswhobra, Tehsil and District Shimla.

...Petitioner

Versus

1. Assistant General Manager, State Bank of India,
Zonal Office, Region II, Shimla.
2. Branch Manager, State Bank of India, Branch
Kupri Melthi, Tehsil Rohru, District Shimla.

...Respondent

APPEARANCES

For the workman Sh. R.P. Rana, Adv.

For the Management Sh. S.K. Gupta, Adv.

AWARD

Passed on 4.07.2013

Central Government *vide* Notification No. L-12012/10/2000-IR (B-I) Dated 24.5.2000, by exercising its powers under Section 10 of sub-section (1) Clause (d) and sub-section (2-A) of the Industrial Disputes Act, 1947 (hereinafter referred to as 'Act') has referred the following Industrial Dispute for adjudication to this Tribunal:—

"Whether the order dated 28.3.1998 of management of State Bank of India, Shimla treating Sh. Deena Nath S/o Sh. Keshav Nand, Messenger, posted at Kupri Melthi (Rohru District, Shimla, HP) Branch of State Bank of India as voluntarily retired from services w.e.f. 11.8.1994 is just and legal? If not, to what relief the workman is entitled?"

As per the claim statement the workman posted at State Bank of India, Kupri Melthi Branch, Shimla as Messenger had fallen ill in August 1994 and had applied for medical leave w.e.f. 11.8.1994 to 6.2.1995. He had submitted medical certificate and fitness certificate issued by the Medical Officer along with his leave application. But when he went to join his duties on 7.2.1995 he was not allowed to mark his presence though he continued working with the management w.e.f. 7.2.1995. He was not paid salary also after 7.2.1995. So he served a notice dated 1.5.1995 on the management for release his salary and also moved the Assistant Labour Commissioner. In the proceedings before

the Assistant Labour Commissioner the management filed reply in which it was stated that *vide* order dated 28.3.1998 the workman has been treated to have voluntarily retired from service of the bank w.e.f. 11.8.1994. According to the workman the order dated 28.3.1998 is illegal, arbitrary and discriminatory as it has been passed without following any procedure and without conducting any inquiry. The workman has alleged the violation of Section 25F, G and H of the Act also. But that is not the subject matter of the reference. Workman has prayed for his reinstatement with back wages and interest.

Claim was contested by the management and it was stated that the workman was in the habit of proceeding on leave without any leave to his credit for which he had been advised so many times in writing. His work and conduct was never satisfactory after his confirmation. It was denied that the workman had applied for medical leave on 6.2.1995 and had submitted medical certificate and fitness certificate. Relevant for the purpose of the impugned order, is the fact mentioned in the reply that the workman absented from 11.8.1994 and he did not come to bank despite notice sent by bank, by registered post to him on 22.3.1996, 15.5.1996, 10.6.1997 and 15.7.1997. No leave of any kind was due to him. He sent medical certificate by registered post in December 1994 from 11.8.1994 to 30.9.1994 and 2.10.1994 to 6.12.1994 but he neither came to bank and nor submitted his fitness certificate. He never reported for duty after 11.8.1994. Hence, action was taken in accordance with the settlement dated 17.9.1984 on service conditions of the bank employees and as per instructions contained in Chandigarh LHO Circular No. PER/89 of 95-96 dated 19.3.1996. The workman moved the Assistant Labour Commissioner after the receipt of the bank's notice dated 19.6.1997 and 15.7.1997 therefore the bank's action is justified. The impugned order was passed in terms of the circular referred above. The claim of the workman has no merit.

The workman filed a replication to say that on previous occasions also when he went to bank for attending his duties, he was marked absent and sometime, when he applied for leave his leave was rejected without any reason, to harm his career. The fact of sending the leave application along with medical certificate and fitness certificate along with joining report was reiterated.

In support of his case the workman examined himself while on behalf of management G.C. Kashyap was examined. Parties relied on certain papers also. The workman absented himself on 30.8.2011 when the case was fixed for arguments. He remained absent on 17.10.2011, 18.1.2012 and 28.2.2012 and the case was ordered to proceed *ex parte* against him on 28.2.2012.

I have heard the learned counsel for management and perused the evidence on record.

It is important to note that the workman in his statement during cross-examination has admitted that he had not joined the duties after 11.8.1994. As per his statement he was on leave due to ill health and he had submitted his leave application to the bank along with medical certificate. As per claim statement he had send the leave application and medical certificate by registered post. But no postal receipt is on record. However, he was submitted a reply to his notice purported to have been sent by bank. It has been marked as 'F' in his statement. In its reply bank has admitted to have received a medical leave application for the period from 11.8.1994 to 6.12.1994, But, there is no evidence to support the workman contention that he had sent any medical certificate or any joining report on 7.2.1995. A photocopy of the joining report given by him and marked 'A' in his statement cannot be accepted as a proof of his joining the service on 7.2.1995 as there is no evidence that the joining report had been submitted by the workman and received by the management. It is also important to note that as per this paper marked 'A', the medical certificate was annexed with this report. It therefore falsifies the case of the workman that the medical certificate had been sent along with leave application. This letter also loses its importance in view of the specific statement of the workman during cross-examination that he has not joined his duty after 11.8.1994. The complaints marked 'B' and 'C' in the statement of the workman also have no relevance in the absence of the proof that they have been dispatched to and received by the authority to whom they are addressed.

After the statement of the workman it becomes an admitted fact that he remained absent from 11.8.1994. There is no evidence to support his case that he had sent any medical certificate in support of his leave application. The learned counsel for management has referred the Circular No. PER/89 of 95-96 dated 19.3.1996 about the unauthorized absence from duty. Regarding the Award Staff it is provided in Para B(iii).

“Where an employee does not submit any application for leave and absents himself from work for a period of 30 days or more consecutive days without or beyond any leave to his credit a notice (as per Annexure IV) should be sent to the employee at last known address calling upon him to report for duty within 30 days of receipt of notice.”

Sub-para (iv) of Para 'B' provides that unless the employee reports for duty within 30 days or unless he gives an explanation for his absence to the satisfaction of the bank, the employee would be deemed to have voluntarily resigned from the bank's service on the expiry of the said notice.

Learned counsel for the management submitted that the management-witness in his affidavit has stated that notices as per the aforesaid circular was issued to the workman and they had been duly received by him. The management has filed the copies of the notice marked K, L and N attached to the written statement in this regard. The fact of receiving these notices has not been challenged on behalf of workman during the cross-examination of the management-witness. There is no reply of workman to any of these notices on the record, hence, the bank was right in passing the impugned order dated 28.3.1998.

Learned counsel for management in this regard has cited the judgment of Hon'ble Supreme Court in Syndicate Bank Vs. General Secretary 2000(2) RSJ 569 where the order of voluntary retirement had been passed by the bank under Clause 16 of the Bipartite Settlement, as the workman had absented from work for a period of 90 or more consecutive days and notice sent to him calling upon him to report for duty within 30 days on correct address had been received back with the postal endorsement “refused”, and the workman did not respond to notice. It was held by Hon'ble Court that it is not necessary for the bank to hold inquiry as the workman defaulted and offered no explanation of his absence from duty and did not report for duty within 30 days of the notice as required in Clause 16 of the Bipartite Settlement. The Hon'ble Supreme Court upheld the action of the management.

From the above going discussion it is clear that the order dated 28.3.1998 of State Bank of India Shimla treating the workman voluntarily retired from service w.e.f. 11.8.1994 has been passed as per Chandigarh L.H.O. Circular PER/89 of 95-96 dated 19.3.1996 and is just and legal. The workman is not entitled to any relief. Reference is answered against the workman. Hard and soft copies of the award be sent to the Central Government as per directions of the Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 12 अगस्त, 2013

कांआ 1900.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 46/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14/5/2013 को प्राप्त हुआ था।

[सं एल-12012/102/2004-आईआर (बी-II)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 12th August, 2013

S.O. 1900.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 46/2004) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Union Bank of India and their workman, which was received by the Central Government on 14.05.2013.

[No. L-12012/102/2004-IR(B-II)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE SRI RAMPARKASH, HJS, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 46 of 04

Between—

Shri M.P. Verma,
C/o Baijnath Prasad,
Plot No. 19, Road No. 22,
Sri Krishna Nagar,
Patna, Bihar.

And

Regional Manager,
Union Bank of India,
Regional Office,
Taksal Theatre Building
Nadesar, Varanasi.

AWARD

1. Central Govt., Mol, New Delhi *vide* notification No. L-12012/102/2004-IR (B-II), dated 18.08.04, has referred the following dispute for adjudication to this tribunal—

2. Whether the action of the management of Union Bank of India, in imposing the punishment of compulsory retirement from the service of the bank without notice with effect from 28.02.03 upon Sri Mukesh Prasad Verma is legal and justified? If not what relief the workman is entitled to?

3. It is common ground that the workman was served with a charge sheet 22.06.02 on the following charges—

4. Sri Verma while working as head cashier at Pandeypur Branch made a cash remittance of 12 lacs on 20.03.02 to currency chest Rathyatra Varanasi. The same was deposited the same day in the evening, the notes or cash sent by the Pandeypur branch were recounted and a shortage of Rs. 50000 was detected in 50 packets of notes. The cash was recounted and also re-verified by the regional office on 22.3.02 and found the same shortage.

5. It was also informed by Sri Atul Agrawal, Chief Manager Pandeypur branch that on 21.3.2002, Sri Verma has informed that there was an excess in the cash after remittance of cash to Rathyatra Crossing branch. On 21.3.02, Sri Verma went to currency chest to find out whether there was any shortage in the packets of cash remitted on the aforesaid date. It is further reported that in the evening at 7.30 p.m. Sri Verma returned from the currency chest and handed Rs. 50000 to the accountant of Pandeypur branch for depositing the same at the branch. But as the strong room was closed and the officiating head cashier had left the branch said cash could not be kept in the cash safe. On 22.3.02 Rs. 50000 was deposited in sundry deposit account. Subsequently on receipt of letter from the currency chest transfer of entry for 50000 was remitted.

6. Sri Verma also submitted a letter dated 22.3.02 to the Chief Manager Pandeypur Branch stating that, he found the excess in cash on 20.3.02 and on 21.3.02 Sri Verma went to currency chest for depositing the shortage but the currency chest people advised him to deposit the amount at Pandeypur branch. Accordingly he is depositing the cash in Pandeypur Branch. Further it is also revealed that Sri Verma informed the incident to the visiting regional office Varanasi officials by stating that he has remitted cash to Pandeypur Branch. It is also revealed that after the departure of cash van he realized the mistake that whatever the cash packets he has send there is shortage and Sri Verma admitted shortage of cash on 20.3.02 but the cash was deposited by him on 22.3.2002, he was on leave on 21.3.02 and realizing his mistake he has deposited the cash. He is solely responsible for this incidence and no one else is involved. He has confessed his guilt in the presence of Sri Mohan Lal Manager (P) and Sri S. Mukharjee, Manager (Audit) and requested that he may be excused and accordingly he had submitted a confession letter dated 22.3.02.

7. The branch cash balance book receiving and paying cashier register dated 20.03.02 and so on as mentioned in the charge sheet on page no. 2, revealed that Sri Verma intentionally prepared signed and stamped the packets, less notes/peaces in packets with a purpose to pocket Rs. 50000 which he subsequently deposited in the branch under the garb of excess cash and to hush up the matter.

8. The aforesaid acts and omission on the part of Sri Verma constitutes gross/minor misconduct.

9. In the present case the disciplinary authority himself has conducted inquiry against the charged employee as enquiry officer. In the inquiry the prosecution side has adduced three witness *viz.*, S/Sri Mohan Lal Manager (P) RO Varanasi, Sri K.N. Panet the then In-charge currency, Rathyatra Crossing Branch and Sri Atul Agrawal, the then Branch Manager, Pandeypur Branch.

10. Apart from above oral evidence the prosecution side has also adduced oral evidence of the above witness. The enquiry officer after hearing both the sides has concluded the enquiry. The enquiry officer/disciplinary authority *vide* letter dated 03.02.2003 informed the workman that the charges leveled against him have been found a proved as per finding a copy of which was enclosed with this letter. In this letter punishment of compulsory retirement from the service of the bank without notice was also proposed and the workman was given opportunity to be heard in person by the enquiry officer/disciplinary authority. After hearing the workman on the point of quantum of punishment the disciplinary authority *vide* order dated 28.02.2003, has confirmed the proposed punishment of compulsory retirement from the service of the bank without notice. The workman against the punishment order has preferred an appeal before the appellate authority who *vide* his order dated 10.07.2003 has rejected the appeal of the workman by a detailed order.

11. The workman being aggrieved from the above action of the bank has raised the present industrial dispute, *inter alia*, alleging that he was illegally suspended with effect from 11.04.2002, he was denied opportunity by the enquiry officer to arrange defense representative and allowed the witnesses of the bank to depose in the absence of his representative, the enquiry officer also did not call the staff and officer who were jointly responsible for the alleged misconduct, the concerned cash packets were not produced in the inquiry to verify as to whether the packets were of Pandeypur Branch and signed by the workman concerned, the bank has appointed enquiry officer to act as disciplinary authority which is against the rules of natural justice as well as well establishment law, without application of proper mind the disciplinary authority has confirmed the proposed punishment on perverse and unfair findings, the appellate authority too has rejected the appeal of the workman without proper application of mind, and lastly is alleged by the workman that there was no shortage in cash remitted to the chest and the case was prepared on false and concocted complaint with ulterior motive, the concerned packets were also not shown to the workman in the inquiry, receiving clerk and cash peon were also not produced in the inquiry, and lastly that the enquiry officer refused to produce the copy of the complaints.

12. On the basis of above it has been prayed by the workman that whole inquiry held against the workman is illegal and the impugned punishment order of the disciplinary authority and the appellate authority is liable to be set aside and should be set aside and he be reinstated in the service of the bank with full back wages, continuity of service and all consequential benefits.

13. The bank has filed reply raising preliminary objections *viz*, the order of reference is bad in law, there is no cause of action in favour of the workman, hence the

non existing, there is no valid espousal of the cause of the workman, the present matter is not an industrial dispute, and the claim application is bad in law for mis-joinder of parties.

14. On merits the bank has reiterated the contents of the charge sheet and submitted that the workman was served with a charge sheet dated 22.06.02 and a departmental inquiry was conducted against the workman in accordance with the provisions and rules applicable to him. The workman participated in the enquiry and he availed the opportunity to defend himself. The workman also submitted a confession letter to the effect that he had committed the misconduct. It is further stated that rules of natural justice were complied with and in view of confession letter tendered by the workman it cannot be said that any prejudice has been caused to him. Based on the evidence adduced in the enquiry as well as the confession letter, the charges were held as proved. The disciplinary authority proposed the punishment of compulsory retirement of the workman and the workman was also afforded opportunity of personal hearing by the disciplinary authority who ultimately *vide* order dated 28.3.2003 confirmed the proposed punishment; appeal preferred by him was also rejected by the appellate authority. It is also alleged that the misconduct committed by the workman amounts to fraud and the order of punishment is fully justified and is not required to be interfered at the hands of this Tribunal.

15. Lastly it is pleaded by the bank that there is no merit in the case of the workman hence the claim is liable to be rejected.

16. Rejoinder has not been filed in the case on behalf of the workman.

17. The workman *vide* paper no. 18/1 has filed 13 documents all of them are in the shape of photocopy.

18. Management has also filed 14 documents *vide* paper no. 12/1 which are also the photocopies of the documents.

19. Workman has examined himself as W.W.1 no witness has been examined by the bank in support of their case before the tribunal.

20. In this case on 23.04.2012 an issued regarding fairness of the inquiry was framed and arguments of the parties were heard on the said issue.

21. I have heard the arguments and perused the whole record on the point of preliminary issue as well as on the point of quantum of punishment.

22. I have examined the enquiry proceedings as well as the finding of the enquiry officer. In all three witness has been produced from the side of the management as M.W.1, M.W.2 and M.W.3. All the three witnesses have been thoroughly cross examined by the Defense representative

of the workman. Similarly the enquiry officer gave sufficient opportunity to the workman to produce the witnesses in his defense. Accordingly the CSE produced three witnesses including himself as one of the witness. These witnesses are Sri Hari Parkas Mishra, as D.W.1, Sri M. P. Verma CSE himself as D.W.2 and Sri V. K. Srivastava as D.W.3 and all the witnesses of defense were examined and cross examined by both the parties.

23. After considering the whole evidence oral as well as documentary mainly the confession letter given by the workman as Mex 4 and 5, the enquiry officer have come to the conclusion that the charge/allegations leveled against Sri M. P. Verma *vide* the aforesaid charge sheet are sufficiently proved. Accordingly he holds him guilty of the charge of misappropriation of the bank money.

24. This has been found proved by the evidence of the witnesses that on 20.3.02 cash amounting to Rs. 12,00,000 was remitted to currency chest by Pandeypur branch and the CSE himself was acting as head cashier and counted the bundle and signed by himself. When the cash was checked at the currency chest a shortage of Rs. 50000 was found. The E.O. found on 21.03.2002 at about 9.40 a.m. Sri M.P. Verma informed that the cash remitted on 20.03.2002 appeared to him to be short. Mr. Verma went to the currency chest and requested the officer of the chest to accept the cash from him to make good the shortage. In letter Ext. M.4 and M.5, Mr. Verma has stated that in the evening of 20.03.02, while tallying the cash he had come to know about the shortage in cash remitted to chest. Because while tallying cash amount to Rs. 50000 was found excess by him. It was observed that the defense on one side tried to prove that the CSE came to know about the shortage in cash remitted to chest through an employee of Rathyatra crossing branch in the evening of 20.03.02. When he reached the house he borrowed the money to make good the shortage. The defense during the cross examination of management witnesses did not object against the contents of Ext. M.4 and 5. The contents of Ext. M.4 and 5 which are the statement of CSE is in disagreement with what has been brought by defense through his witnesses, therefore, theory put up by the defense was not relied upon.

25. I have also considered all the contentions raised in the claim petition or in the arguments.

26. I have to say that here the CSE has been taking different pleas while putting his defense which is not expected from a senior bank employee like head cashier. It is wrong to say that these letters Mex 4 and 5 which are in the shape of his confession have been procured by the management. No such suggestion has been given to the management at that time and no such evidence has been given by W.W. 1 in his statement before the tribunal. It is expected that the official who is facing the inquiry will also come with a clean hand and mind before the enquiry officer.

It is not permitted that an employee can take different defense at the same time which may be permissible in criminal trial but not in inquiry. So this fact has been proved that this was in the very knowledge of the CSE that there had been a shortage of Rs. 50000 and he had come to know that this amount while tallying the cash was lying in his drawer. In the confession letter he has specifically written that he has sent the cash, he has pasted the slip and put his initials over the same. After remittance of the cash, he immediately came to know that there was shortage in the cash on the same evening *i.e.* 20.03.02. He also admitted the fact that he was on leave on 21.03.02 and had deposited the amount on 22.03.02. He confessed his guilt in his confession letter saying that he himself is responsible for the shortage of cash.

27. In his confession letter Ext. M.5 he has clearly stated that due to heavy pressure of work and heavy work load, in the evening while tallying the cash it came to his notice there was an excess amount of Rs. 50000 which was lying in his drawer. On 21.03.02 he came to his branch and found that the said amount of Rs. 50000 was lying there.

28. In this way the CSE has taken different pleas in his defense. Not only this but the CSE is trying to blow hot and cold in the same breath, similarly he is sailing in different boats. Whereas on one side he says that the currency chest should have prepared the POB when the cash was found short and these packet should have been shown to him during the inquiry as well as before the tribunal. As already found by the enquiry officer and I also analyze that this is a false contention and cooked theory by the CSE. Similarly he raised another contention that agreeing that there had been a shortage in cash but immediately he arranged the money after borrowing from the witnesses who had been produced before the inquiry.

29. This was a serious matter had been taken by the enquiry officer and disciplinary authority himself. When he had come to know that there had been an excess amount while tallying the cash he should have come with clean hand and must have said that this amount is lying in his drawer and should have been deposited on the next day *i.e.* 21.3.02 early in the morning. But he is saying that he was on leave on 21.2.03. When he has come to know that there has been a shortage of Rs. 50000 which is not a small amount on the same day why had he been on leave on 21.2.03 and why he is rushing to the currency chest. All this shows his bad intention which appears to be a calculated move and the EO had found that he had done it with malafide intention.

30. Therefore in such circumstances, there was no need of producing the currency packets before the inquiry.

31. It is also contended that one document which is numbered 1(G) as demanded was not produced. I have

given due thought to this contention. There is no force as this document has no where been relied upon by the enquiry officer.

32. It is also contended that the inquiry officer and disciplinary authority are one and same person. There is no illegality in appointing the same person as enquiry officer as well as disciplinary authority. The opposite party has also placed circular No. 2809 dated 28.5.61 wherein the disciplinary authority may himself hold an inquiry or direct any officer of the bank to hold an inquiry and another officer to represent the management's case.

33. The opposite party has also placed reliance upon a decision of Hon'ble High Court CMWP 4995 of 98 in between Union Bank of India versus PO CGIT Kanpur, wherein it was observed that so far as the issue of disciplinary authority appointing another officer is concerned, the judgment of the learned single Judge in the case of Brahm Pal Singh has already been revered by Division Bench by clearly holding that such a course was permissible.

34. Therefore in the present case everything has been made to the workman in the charge sheet, so this point also does not stand anywhere on the point that inquiry held against him is not fair.

35. Likewise it is held that the appellate authority has also given him opportunity of personal hearing and has rejected the appeal.

36. Therefore, there is no force in the contention of the auth. Representative of the claimant that principles of natural justice has not been followed. The opposite party has given the full opportunity to the claimant to put his defense. As such it is held that the inquiry conducted by the management was just and fair.

37. I have also heard and considered on the point of quantum of punishment. It is pertinent to mention here that it is not the case of dismissal, discharge or removal from service therefore, the tribunal cannot exercise its powers under Section 11-A of the Act.

38. Considering the gravity of misconduct as enumerated in the charge sheet it is found that the punishment of compulsory retirement from service of the bank imposed upon the workman cannot be held either to be excessive or disproportionate in the light of the proved charges. Banking institutions runs on trust and confidence and if any employee found indulged in misappropriation of banks fund, he cannot be retained in the service for a moment. Therefore in my view the punishment awarded to the workman is fully commensurate with the proved misconduct and therefore, it need not be interfered at the hands of the tribunal. As such the workman is not entitled for any relief as claimed by him.

39. Reference is therefore, answered against the workman and in favour of the bank.

RAM PARKASH, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1901.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 85/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/108/2006-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1901.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. 85/2006 of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of Sangramgarh Colliery of M/s. ECL, and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/108/2006-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE

BEOFRE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Present: Sri Jayanta Kumar Sen,
Presiding Officer

REFERENCE NO. 85 OF 2006

Parties: The management of Sangramgarh
Colliery of M/s. ECL, Burdwan

Vs.

The Gen. Secy., KMC, Asansol
(WB)

Representatives:

For the management: Shri P.K. Goswami, Ld. Advocate

For the union : Shri S.K. Pandey, Ld.
(Workman) Representative

Industry: COAL **State:** West Bengal

Dated 03.07.13

AWARD

In exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/108/2006-IR(CM-II) dated 01.11.2006 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Sangramgarh Colliery of M/s. ECL in dismissing Sh. Sunil Bouri from service *w.e.f.* 22.03.2003 is legal and justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/108/2006-IR(CM-II) dated 01.11.2006 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 85 of 2006 was registered on 11.12.2006 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

The workman Sunil Bouri, Man No. 109661 was in employment of the Company (ECL) as Loader at Sangramgarh Colliery of Salanpur Area of M/s. ECL. The workman was found absent from duty with effect from 28.12.2002 till 13.02.2003 on which date he was charge sheeted *vide* charge sheet No. SAN/C-6/302 dated 13.02.2003 and after enquiry he has been dismissed by the management from service with effect from 22.02.2003.

In this case notices were issued to both sides the workman Sunil Bouri appeared with his representative Sri S.K. Pandey, General Secretary, Koyala Mazdoor Congress and has filed Written Statement on 02.8.2007. In this case several notices were issued to the management for appearance but the management appeared on 1st February, 2012 and then Sri P. Goswami, Advocate has appeared on 31.7.2012 but the management did not bother to give instruction to Sri P. Goswami, Advocate for filing Written Statement. Ld. Lawyer Sri Goswami, Advocate has fairly submitted before the court that he has informed the management of Sangramgarh Colliery of M/s. ECL to send all the necessary documents as well as statement of the facts so that the written statement can be filed before this court. But the management of Sangramgarh Colliery did not listen anything nor send any documents, so he was unable to submit written statement.

On perusal of the documents which are available in the record I find that the management has taken very harsh step against the workman by dismissing him from service *w.e.f.* 22.3.2003 because the workman was absent from duty with effect from 28.12.2002 and on 13.02.2003 the workman was charge sheeted *vide* charge sheet No. SAN/C-6/302 dated 13.02.2003 and after enquiry which is said to be *ex parte* dismissed the workman from the service *w.e.f.* 22.3.2003. No doubt the management has taken very harsh step against the workman by dismissing him from service without giving any opportunity to the workman after reforming himself. Moreover, no adverse remark or document has been filed by the management against the workman before this court.

Thus in my opinion the action of the management of Sangramgarh Colliery of M/s. ECL dismissing Sunil Bouri from service *w.e.f.* 22.3.2003 is quite illegal and also unjustified.

Accordingly the order of dismissal of the workman Sunil Bouri stated above, is hereby set aside and the management is directed to allow the workman Sri Sunil Bouri to join in the service in the same post within 2 (two) months from the date of receipt of notification with 50% back wages till he join.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1902.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, असनसोल के पंचाट (संदर्भ संख्या 24/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/15/2001-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1902.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 24/2001) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between

the management of Amrit Nagor Colliery and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/15/2001-IR(CM-II)]
B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Present: Sri Jayanta Kumar Sen,
Presiding Officer

REFERENCE NO. 24 OF 2001

Parties: The management of Amrit
Nagor Colliery of M/s. ECL,
Burdwan

Vs.

The Gen. Secy., KMC, Asansol
Burdwan (WB)

Representatives:

For the management: Sri P.K. Das, Ld. Advocate

For the union (Workman): Sri H.L. Soni, Ld.
Representative

Industry: COAL **State:** West Bengal

Dated 14.06.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/15/2001-IR(CM-II) dated 31.07.2001 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Amritnagor Colliery under Eastern Coalfields in denying payment of idle wages *w.e.f.* 15.02.95 to 22.06.95 to Sh. Ramdhani Mistry, Ex-blacksmith is legal and justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/15/2001-IR(CM-II) dated 31.07.2001 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 24 of 2001 was registered on 20.08.2001 and accordingly an order to that effect was passed to issue notices through the

registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

It is true that the workman Ramdhani Mistry was a permanent employee of Amritnagor Colliery under Kunustoria Area of M/s. ECL.

It is the case of the Management in the Form 'B' Register of the Colliery the date of birth of workman Ramdhani Mistry was recorded as 15.02.1935 and accordingly, he was superannuated on 15.02.95 but subsequently in compliance with the direction of the Hon'ble High Court, Kolkata Ramdhani Mistry examined by the Medical Board and the Medical Board at its sitting on 22.03.95 assessed the age of the workman in between 55 to 60 years, and the Management for convenience of both the parties took mid point of the age range and hold 57 and 1/2 years on 22.03.95 and after receiving necessary approval of the competent authority of the company the workman Ramdhani Mistry was allowed to reinstate on 22.06.95 on condition that the workman shall not claim any back wages and an agreement was also entered in between the Management and Ramdhani Mistry (workman) in presence of two witness.

It is the case of the workman Ramdhani Mistry that age dispute with him was pending with the Management since long but instead of solving the age of dispute he was stopped from duty from 15.02.95 and has been prematurely superannuated from 15.02.95. It is further case of the workman that he preferred an appeal before Hon'ble Court and as per direction of the Hon'ble Court the workman was examined by the Apex Medical Board on 22.03.95 and his age was assessed 57 1/2 years and on 22.06.95, the management allowed him to resume his duty.

The claim of the workman that he sat idle with any of his fault from 15.02.95 to 22.06.95 without any wage, so he is entitled to get wages for this period *i.e.* from 15.02.95 to 12.06.95 which the Management has denied.

The main defence of the Management is that the workman is not entitled to get any wages for the period from 15.02.95 to 22.06.95 on the ground "No work No Pay."

On perusal of the record I find that the Management did not produce the 'B' Form Register, and the application of the workman by which he had challenged the entry of date of birth in 'B' Form Register. Further I find that the Management did not produce the said agreement before this Court to substantiate the fact that the workman Ramdhani Mistry entered into an agreement duly signed by two witnesses that Ramdhani Mistry shall not claim any back wages. So it is obviously clear that the workman was had challenged the age matter from earlier, the Management did not take any step before 15.02.95, and

had the workman would be examined by the Apex Medical Board, the age would be assessed before 15.02.95 and the workman would not face any financial loss. So, in my opinion the fault is totally on the part of Management and the Management has to face the consequence thereof.

Accordingly, in my opinion the action of the Management of Amrit Nagor Colliery, under ECL in denying the payment of idle wages *w.e.f* 15.02.95 to 22.06.95 is not legal and is totally unjustified as well as against the principle of "Natural Justice". The Management should make the payment of wages of this period (15.02.95 to 22.06.95) to the workman Ramdhani Mistry within two months from the date of receipt of Notification of the Award.

ORDER

Let an "Award" be and the same is passed as per above. Send the copies of the "Award" to the Government of India, Ministry of Labour & Employment, New Delhi for information and needful.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1903.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, असनसोल के पंचाट (संदर्भ संख्या 85/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/235/2004-आईआर (सीएम-II)]
बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1903.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 85/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of Belbad Colliery of M/s. ECL, and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/235/2004-IR(CM-II)]
B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

Present: Sri Jayanta Kumar Sen,
Presiding Officer

REFERENCE NO. 85 OF 2005

PARTIES: The management of Belbad
Colliery of M/s. ECL, Burdwan.

Vs.

Shri Ramavatar Bhuiya, C/o.
Kartick Chandra Ghosh, AT. 10
No. Colliery, *via*-Sripur Bazar,
PO: Pariharpur, Burdwan.

REPRESENTATIVES:

For the Management: Sri. P.K. Das, Ld. Advocate

For the Union (Workman): None

Industry: COAL State: West Bengal

Dated: 13.06.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/235/2004-1R(CM-II) dated 29.06.2005 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Belbad Colliery under Kunustoria Area of M/s. Eastern Coalfields Limited in dismissing Shri Ram Avatar Bhuiya, U.G. Trammer from service *w.e.f.* 13/17.05.1999 is legal and justified? If not, to what relief the workman is entitled and from which date?"

Having received the Order of Letter No. L-22012/235/2004-IR(CM-II) dated 29.06.2005 of the above said reference from the Govt. of India. Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 85 of 2005 was registered on 17.08.05 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that the workman is neither appearing nor taking any step since long. Sveral opportunities were given but of no effect. It seems that the workman is now not interested to proceed with the case any further. Since the workman is not interested to proceed with the case, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and the same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1904.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, असनसोल के पंचाट (संदर्भ संख्या 94/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/244/2007-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1904.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 94/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of M/s. ECL, P.O: Methani, and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/244/2007-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT : Sri Jayanta Kumar Sen, Presiding Officer
REFERENCE NO. 94 OF 2007

PARTIES: The Management of B.M.P. Group
of Collieries of M/s. ECL., Burdwan.

Vs.

The Gen. Secy., KMC, Asansol,
Burdwan (WB)

REPRESENTATIVES

For the Management: Sri P.K. Goswami, Ld. Advocate

For the Union : Sri S.K. Pandey, Ld.
(Workman) Representative

INDUSTRY: COAL STATE: WEST BENGAL

Dated 08.05.13

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/244/2007-IR(CM-II) dated 30.10.2007 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of M/s. ECL in dismissing Shri Nimai Bouri *w.e.f.* 25.11.2005 is legal and justified? If not, to what relief the workman is entitled?"

Having received the Order of Letter No. L-22012/244/2007-IR(CM-II) dated 30.10.2007 of the above said reference from the Govt. of India. Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 94 of 2007 was registered on 20.11.2007 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that Shri S.K. Pandey, General Secretary of Colliery Mazdoor Congress, appeared on behalf of the workman Sri Nimai Bouri, and submitted that the dispute has already been settled in between workman and the management, so the workman does not want to proceed with the case. It has further been submitted that the next date fixed is 13.06.13 may be recalled and necessary action may be passed. On behalf of the management, Shri P.K. Goswami, Ld. Advocate is present and submitted that he has no objection on prayer. Since the matter has already been settled and there is no dispute, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and the same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1905.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 66/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/183/2007-आईआर (सीएम-II)]
बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1905.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 66/2007) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of M/s. Eastern Coalfields Limited, and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/183/2007-IR(CM-II)]
B.M. PATNAIK, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL**

PRESENT : Sri Jayanta Kumar Sen, Presiding Officer

REFERENCE NO. 66 OF 2007

PARTIES: The management of Dhemomain Group of Collieries of M/s. ECL. Burdwan.

Vs.

The Gen. Secy., KMC, Asansol, Burdwan (WB)

REPRESENTATIVES

For the management: Sri P.K. Goswami, Ld. Advocate

For the union : Sri S.K. Pandey, Ld.
(Workman) Representatives

INDUSTRY : COAL

State: West Bengal

Dated—09-05-2013

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/183/2007-IR(CM-II) dated 07-08-2007 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of M/s. ECL in dismissing Shri Panchu Bouri, U.G. Loader *w.e.f.* 06.10.2005 is legal and justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/183/2007-IR(CM-II) dated 07-08-2007 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 66 of 2007 was registered on 04.09.2007 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that Shri S.K. Pandey, General Secretary of Colliery Mazdoor Congress, appeared on behalf of the workman, and submitted that the dispute has already been settled in between workman and the management is ready to reinstate the workman in the job, Photocopy of the Letter No. Pd/C-6/13/41/107 dated 19.04.13 of Chief Manager (Personnel), Sodepur Area, has been filed along with an affidavit shown by the workman Sri Panchu Bouri. It has further been submitted by Shri S.K. Pandey that the next date fixed is 25.06.13 which is too long, may be recalled and necessary order may be passed. On perusal of the record, it has been found that the matter has already been settled between both the parties. Hence, for the end of justice, the date fixed on 25.06.13 is hereby recalled and it is fixed on 09.05.13. Since the matter has already been settled, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and the same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer.

नई, दिल्ली, 13 अगस्त, 2013

SCHEDULE

का०आ० 1906.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 56/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/410/2003-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1906.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 56/2004) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of Madhabpur Colliery, M/s Eastern Coalfields Limited and their workmen, received by the Central Government on 13/08/2013

[No. L-22012/410/2003-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL****PRESENT :** Sri Jayanta Kumar Sen, Presiding Officer**REFERENCE No. 56 OF 2004**

PARTIES: The management of Madhabpur Colliery of M/s. ECL. Burdwan

Vs.

The Gen. Secy., KMC, Asansol (WB)

REPRESENTATIVES:

For the management: Sri P.K. Das, Ld. Advocate

For the Union : Shri Rakesh Kumar, Ltd.
(Workman) RepresentativeINDUSTRY: COAL State: West Bengal
Dated—05-07-2013**AWARD**

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/410/2003-IR(CM-II) dated 04-10-2004 has been pleased to refer the following dispute for adjudication by this Tribunal.

"Whether the action of the management of Madhabpur Colliery under Kajora Area of M/s. ECL in dismissing Sh. Prasanna Das, U.G. Loader U.M. No. 548820 from services *w.e.f.* 29.05.1997 is legal and justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/410/2003-IR(CM-II) dated 04-10-2004 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 56 of 2004 was registered on 14.10.2004 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

The workman Prasanna Das, Man No. 548820 was working as UG Loader at Madhabpur Colliery of M/s. ECL. He was found unauthorized absent from 11.11.95 to 10.4.97 and he did not inform the management about his absence. Thereafter the workman was charge sheeted and notices were issued to him but the workman did not turn up, so the enquiry proceedings started *ex-parte* and the management on the basis of *ex-parte* enquiry dismissed the workman Prasanna Das, U.G. Loader from service with effect from 29.5.97.

On perusal of the Written Statement filed on behalf of the workman I find that the workman has admitted the fact that he remained unauthorized absence from 11.11.95 to 10.4.97 due to some unavoidable problems. It further appears from the Para-IV of the Written Statement that the workman was under fear of his life by the Anti-social Money Lender and the workman had informed the management about it and prayed to transfer him at any other place. From this very contention of the Written Statement I find that the workman had taken loan from Money Lenders and as because he was not repaying the same to the Money Lenders, he was threatened by the Money Lenders, so in my opinion this matter was the personal affair in between workman and Money Lenders and the management cannot be held responsible for such act of the workman. It further appears from the Written Statement that the workman did not turn up in Enquiry proceedings.

From perusal of the Written Statement filed on behalf of the management I find that the workman Prasanna Das remain continuous absence from his duty on and from 11.11.95 without any prior intimation or permission from the management and as such he was charge sheeted by the management *vide* charge sheet No. 10 dated 12.4.97 and as because the workman did not turn up even after receiving notices, the enquiry was conducted *ex-parte* by the Enquiry Officer and the management considering the

enquiry report has dismissed the workman from service with effect from 29-5-1997. The Ld. Lawyer of the management Shri P.K. Das. Advocate has submitted that the workman remain absent for about 2 years without any reasonable cause so point No. 7 of MOS will not go in favour of the workman in any way and he has rightly been dismissed by the management.

On perusal of the record I further find that the workman dismissed from the service *w.e.f.* 29.5.2007 and the workman did not take any step since thereafter but make some delay. On perusal of the record I further find that no documents regarding previous adverse conduct of the workman has been filed by the management.

So, considering the facts and circumstances discussed above, I find and come into the conclusion that the management has taken a very harsh step against the workman by dismissing from his service without giving any warning or lenient punishment to him so that he can reform himself. Further I find that no 2nd Show cause was served on the workman on the point of dismissal.

Accordingly the action of the management of Madhabpur Colliery under Kajora Area of M/s. ECL in dismissing Prasanna Das, U.G. Loader, Man No. 548820 from service *w.e.f.* 29.5.1997 is not legal and unjustified. Accordingly the said action of the management is hereby set aside and the management is directed to allow the workman to join in the service without any back wages and stop 2(two) increments as punishment of such unauthorized absence. The management will also take an affidavit from the workman duly countersigned by the union leader as undertaking that he will not be absent unauthorisedly in future and if such conduct will be repeated he can not avail any help from the management.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1907.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 129/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं एल-22012/40/2005-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1907.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 129/2005 of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of M/s. ECL, PO: Methani, and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/40/2005-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT: Sri Jayanta Kumar Sen, Presiding Officer

REFERENCE No. 129 OF 2005

PARTIES: The Management of B.M.P. Group of Mines of M/s. ECL, Burdwan

Vs.

The Gen. Secy., KMC, Asansol (WB)

REPRESENTATIVES:

For the management: Sri P.K. Goswami, Ld. Advocate

For the Union : Shri Rakesh Kumar, Ld. Representative
(Workman)

Industry : Coal State: West Bengal
Dated—02.07.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section(1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* is Order No. L-22012/40/2005-IR(CM-II) dated 01.12.2005 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"whether the action of the management of B.M.P. Group of Mines of M/s. ECL in dismissing Sh. Dilip Bouri, Rail Mazdoor from services *w.e.f.* 27.12.97 is legal and justified? If not, to what relief the workman is entitled?"

Having received the Order of Letter No. L-22012/40/2005-IR(CM-II) dated 01.12.2005 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 129 of 2005 was registered on 23.12.2005 and accordingly an order to that effect was passed to issue notice through the

registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

The workman Dilip Bouri, Workman No. 138242 was a permanent employees under ECL and was posted as Rail Mazdoor at B.M.P. Group of Mines under ECL and he was found unauthorized absent from 19-01-96 to 20-03-96 and accordingly Charge sheet No. 15 dated 20.3.96 was submitted and after enquiry the workman was found guilty for unauthorized absence and he has been dismissed from service with effect from 27.12.97.

Ld. Representative of the union Sri Rakesh Kumar has submitted that the period of absence of the workman Dilip Bouri is only for 2 months i.e. from 19.01-96 to 20.03.96 and during this period he was sick and was suffering from Jaundice. It has further been submitted that the workman appeared before the management on 09.3.96 and made prayer to permit him to join but the management did not allow him and subsequently charge has been settled. It has further been submitted that on 12.5.97 the statement of the workman Dilip Bouri was recorded by the Enquiring Officer in which the workman has specifically stated that he was sick during that period and was not able to do regular work properly. It has further been submitted that as because the workman was not allowed to join on 20.3.96 so he sat idle and in the meantime charge sheet was settled wrongly showing that he was absent till 26.12.96 and on 27.12.96 he has been dismissed.

On perusal of the record as well other documents I find that the workman was absent only for 2 (two) months and for this short period the management has taken very harsh decision against the workman Dilip Bouri by dismissing him from service without giving him any proper opportunity to reform himself which is no doubt against the principle of Natural Justice.

In my opinion the action of the management of BMP Group of Mines of M/S ECL in dismissing Dilip Bouri, Rail Mazdoor from service with effect from 27.12.97 is not legal as well as no justified. Accordingly the order of dismissal passed by the management is hereby set aside and the management is directed to allow Sri Dilip Bouri to join in the above post (Rail Mazdoor) within 2 (two) months from the date of notification received. The workman Dilip Bouri is entitled to get 50% back wages from the date of alleged absent.

Accordingly the Order of dismissal is hereby set a side. The Management is directed to allow the workman Lala Bouri to join in the service with 75 percentage of back wages within three months from date of Notification.

ORDER

Let an "Award" be an the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1908.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, असनसोल के पंचाट (संदर्भ संख्या 39/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं एल-22012/324/2003-आईआर(सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August 2013

S.O. 1908.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Ref. No. 39/2004 of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of Sonepur Bazari Project, M/s Eastern Coalfields Ltd. and their workmen, received by the Central Government on 13/08/2013

[No. L-22012/324/2003-IR(CM-II)]

B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT: Shri Jayanta Kumar Sen,
Presiding Officer

REFERENCE No. 39 OF 2004

PARTIES: The management of Sonepur
Bazari Project of M/s. ECL,
Burdwan

Vs.

The Gen. Secy., KMC, Asansol
(WB)

REPRESENTATIVES:

For the management: Shri P.K. Das, Ld. Advocate

For the union : Shri Rakesh Kumar, Ld.
(Workman) Representative

INDUSTRY: COAL State: West Bengal
Dated—08.07.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section(1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/324/2003-IR(CM-II) dated 30.06.2004 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Sonapur Bazari Area of M/s. ECL in dismissing Sh. Manoj Kumar, Clerk from services *w.e.f.* 29.11.2002 is legal and justified? If not, to what relief the workman is entitled?"

Having received the Order of Letter No. L-22012/324/2003-IR(CM-II) dated 30.06.2004 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 39 of 2004 was registered on 12.07.2004 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

It is admitted fact that the workman Manoj Kumar was working as Clerk at Sonapur Bazari Area of M/s. ECL and the charge leveled against him is that 3 (Three) Cheques No. 206558, 206116 and 206117 dated 12.9.2001, 16.8.2002 and 16.8.2001 had been personally handed over to Sri Debraj Pradhan after taken receipt of the cheques instead of sending the same through Registered Post and the allegation is that the workman has violated official standing instruction that the cheque should be sent by post and not to hand over personally.

On perusal of the documents with the record I find that the Personnel Manager, Sonapur Bazari Project has sent a letter to Sri Srinivas, Sub Divisional Inspector, Raniganj Sub Division by Ref. No. ECL/SBP/AGM(OP)/Pers/02/811 dated 02.12.2002 regarding submitting report of payment of money in cash against the cheque and bearing no. 206116 dated 16.8.2001 for Rs. 9458/- and no. 206558 dated 12.9.2001 for Rs. 32,737.10 issued by Syndicate Bank, ECL S.B. Project in favour of Debraj Pradhan and by letter no. ECL/SBP/AGM(OP)/Pers/02/224 dated 28.5.2002 regarding payment of dues of of Sri Debraj Pradhan, Dumper Operator, Sonapur Bazari Project, ECL to the Supdt. of Post Office, Asansol Head Post Office, Asansol, Dist. Burdwan and Sr. Supdt. of Post Office on the basis of the letter submitted by Debraj Pradhan stating therein that all the 3 cheques were made payment to Debraj Pradhan by Post Master of Raniganj Post Office. This letter relates to Ref. No. CR-9/19/05/-2-03, Asansol dated 12.6.2002.

Thus from the above contention I find that the management has also made it clear that the genuine person i.e. Debraj Pradhan has produced all the 3 cheques before he Post Office and 2 cheques were encashed by Debraj Pradhan and one cheque was filed for re-validation by the workman as the date expired and subsequently the cheque was also encashed after re-validation by the workman Debraj Pradhan. Further I find that the concerned workman Debraj Pradhan has not made any complain against Monoj Kumar (Workman) that he had not received the amount from those very 3 cheques. On perusal of the report of the Enquiry Officer. I find that Enquiry Officer did not examine the Debraj Pradhan during enquiry. Thus I find that the only fault against the workman Manoj Kumar is that instead of sending the cheque by post he handed over the same (3 cheques) to Debraj Pradhan after obtaining a receipt from him (Debraj Pradhan). In my opinion for only this fault the management should not punish Sri Manoj Kumar by awarding severe punishment of dismissal rather management should give him an opportunity and could transfer him from that post with any lenient punishment. The action of the management seems to be quite against the principle of natural justice because for this act of management the workman along with his, 4 children and old parents (as per letter of the workman addressed to Director (Personnel), ECL, HQ, Dishergarh, Sanctoria dated 27.6.2011) are forced to stand on the road for the purpose of begging because no other earning members in his family.

Accordingly the action of the management of Sonapur Bazari Area of M/s ECL in dismissing Monoj Kumar, Clerk from service with effect from 29.11.2002 is quite illegal and unjustified and accordingly the action of the management is hereby set aside. The management is directed to permit the workman Monoj Kumar to join in the service within 2 (two) months from the date of notification with 75% back wages.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त 2013

का०आ० 1909.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंध में निर्यात के नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, असनसोल के पंचाट (संदर्भ संख्या 10/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/371/2007-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1909.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 10/2009) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of M/s. Eastern Coalfields Limited, and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/371/2007-IR(CM-II)]
B.M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT: Shri Jayanta Kumar Sen,
Presiding Officer

REFERENCE NO. 10 OF 2009

PARTIES: The management of Gourandi
Colliery, M/s. ECL, Burdwan (WB)

Vs.

The Gen. Secy., CMU (INTUC),
Asansol (WB)

REPRESENTATIVES:

For the management: Shri P.K. Das, Ld. Advocate

For the union : Shri N. Ganguly, Ld.
(Workman) Representative

INDUSTRY: COAL State: West Bengal
Dated—08.07.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section(1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour vide its Order No. L-22012/371/2007-IR(CM-II) dated 20.02.2009 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the demand Colliery Mazdoor Union for regularizing Shri Subodh Kumar Chatterjee as Compounder *w.e.f.* 01.12.1988 is legal and justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/371/2007-IR(CM-II) dated 20.02.2009 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 10 of 2009 was registered on 09.03.2009 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them

to appear in the court on the date fixed and to file their written statement along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

No doubt Subodh Kumar Chatterjee is appointed as Dresser (Trainee) *vide* appointment letter dated 24.3.1987 issued to him and initially posted in Dendua Salanpur Hospital During training period he was entitled to get consolidated stipend of Rs. 400/- per month for one year. It appears from the documents I find that Subodh Kumar Chatterjee is a qualified Pharmasist as per certificate issued by West Bengal Pharmasist Council, Kolkata, S.L. No. 09263 dated 28th January, 2009. From the perusal of the documents filed on behalf of the claimant Subodh Kumar Chatterjee. I find that the Agent, Gourandih (R) Colliery Ref. No. GC/Dy.CME/98/69 dated 28/29 January, 1993 I find that the claimant Subodh Kumar Chatterjee Dresser was also working as Compounder, the only staff of Gourandih Colliery Dispensary has been authorized to look after all the official job like Maintenance Stores (Medical), records thereof, maintenance of Sick leave and medicines etc. as well as he was authorized to look after all the aspects of issue of medicines to he patients as and when required in absence of Dy. Medical Superintendent of that dispensary. Thus from this very letter it is apparently clear that Sri Subodh Kumar Chatterjee, Dresser is working as Compounder also from 28/29.01.1999. It further appears from the letter of the Agent, Gourandih colliery *vide* Ref. No. Agent/GC/C-6/94/141 dated 12/18.3.94 addressed to Personnel Manager, Salanpur Area I find that the Agent has recommended regarding sanction of difference of wage of Subodh Kumar Chatterjee (Claimant) who is managing the job of Compounder in the shift due to retirement of Sri S.P. Chatterjee, Sr. Compounder. Further from the letter issued by the Agent, Gourandih Colliery *vide* No. GC/C-6/2000/284 dated 3/4.7.2000 I find that Subodh Kumar Chatterjee is still working as Compounder in the same dispensary and also attending O.T. as well as emergency call. Further I find that Sr. Personnel Manager (In-charge) of Salanpur Area has also recommended the application of the claim of Subodh Kumar Chatterjee regarding his promotion from Dresser to Compounder.

The Ld. Lawyer has referred a decision of the Hon'ble Supreme Court reported in A.I.R., 1999 Supreme Court page-838 and on perusal of this decision of the Hon'ble Supreme Court, I find that the court have been pleased that where there is no dispute that the appellant look after the duties of higher cadre he is entitled to salary attached to the higher post but such payment of higher salary, however shall not amount to promotion. Ld Lawyer of the claimant has further referred one decision of the Hon'ble Supreme Court report in 2004 Supreme Court cases (L&S) 651 and has submitted that where there exists of avenues for promotion the workman have been regards to its constitutional right us

entitled for such promotion. On perusal of this decision of the Apex court I find that the Hon'ble Apex Court has also relied in the case of Council of Scientific and Industrial Research-Vs-K.G.S. Vhatt (S.C.C. page-638-39).

Considering the whole facts and circumstances of the case discussed above I find and come into the conclusion that since the claimant Subodh Kumar Chatterjee is looking after all the official jobs of Compounder of Gourandih Colliery dispensary from 28/29.01.1999 up till now he is entitled to get pecuniary benefit by giving him the difference of wages of Dresser and Compounder till he is not regularized as Compounder and the management is directed to constitute a Board for the interview of Subodh Kumar Chatterjee to see that whether Subodh Kumar Chatterjee is competent for the post of Compounder as per his experience and certificate of Registered Pharamasist granted by West Bengal Pharamasist Council within 2 (two) months from the notification of this Award.

Accordingly in my opinion that the demand of Colliery Mazdoor Union for regularizing Sri Subodh Kumar Chatterjee as Compounder with effect from 01.12.1988 is not correct rather his case should be considered with effect from 29.01.1999 the date of authorized.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1910.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14 की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स ईसको के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 37/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/47/2002-आईआर (सीएम-II)]

बी. एम. पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1910.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 37/2002) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of M/s. Indian Iron & Steel Co. Ltd. and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/47/2002-IR(CM-II)]

B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT ASANSOL.

PRESENT : Sri Jayanta Kumar Sen,
Presiding Officer

REFERENCE NO. 37 OF 2002

PARTIES: The Executive Director 1/C M/s.
Indian Iron & Steel Co. Ltd.,
Burnpur, Burdwan (WB).

Vs.

The Secy. K. HSCO. S.S.S.
(INTUC) & KKSC. Ramnagar,
Burdwan (WB)

REPRESENTATIVE:

For the management: None

For the union : None
(Workman)

INDUSTRY : COAL **STATE : WEST BENGAL**
Dated 29.05.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947). Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/47/2002-IR(CM-II) dated 03.09.2002 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Ramnagar Colliery of M/s. HSCO in not paying the wages to the employees of the Ramnagar Colliery of M/s. HSCO as per NCWA-VI which is applicable with effect from 01.07.1996 and to making payment of ex-gratia for the year 2000-2001 to the workers of the Colliery is legal and justified? If not, to what relief the workmen of Ramnagar Colliery of M/s. HSCO are entitled to?"

Having received the Order of Letter No. L-22012/47/2002-IR(CM-II) dated 03.09.2002 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of dispute, a reference case No. 37 of 2002 was registered on 27.09.2002 and accordingly an order to that effect was passed to issue notices the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that the workman is neither appearing nor taking any step since long. Several opportunities were given but of no effect. It seems that the workman is now not interested to proceed with the case any further. Since the workman is not interested to proceed with the case, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and the same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1911.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 133/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं एल-22012/23/2005-आईआर (सीएम-II)]
बी. एम. पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1911.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 133/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of Satgram Area of M/s. ECL, and their workmen, received by the Central Government on 13/08/2013.

[No.L-22012/23/2005-IR (CM-II)]
B.M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT ASANSOL.

PRESENT: Sri Jayanta Kumar Sen,
Presiding Officer

REFERENCE NO. 133 OF 2005

PARTIES: The management of Satgram Area
of M/s. ECL, Burdwan

Vs.

The Gen. Secy., KMC, Asansol(WB)

REPRESENTATIVE:

For the management: Shri P.K. Goswami, Ld. Advocate

For the union : Shri S.K. Pandey, Ld.
(Workman) Representative

Industry: Coal State: West Bengal

Dated 03.07.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947(14 of 1947). Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/23/2005-IR(CM-II) dated 29.11.2005 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Satgram Area Office of M/s. ECL in dismissing the services of Sh. Satyadeo Singh, General Mazdoor from service 29.10.1998 is legal and justified? If not, to what relief the workman is entitled?"

Having received the Order of Letter No. L-22012/23/2005-IR(CM-II) dated 29.11.2005 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 133 of 2005 was registered on 23.12.2005 and accordingly an order to that effect was passed to issue notices the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

The workman Satyadeo Singh, Man No. 300588 was working as General Mazdoor at Satgram Area Office of M/s. ECL and he absented from his duty from 09.09.97 and accordingly he was charge sheeted and after enquiry he was dismissed from the service with effect from 29.10.1998.

It is the case of the workman, as it appear from his Written Statement dated 27.02.2006 I find that due to sickness which was beyond the control of the workman he remain absent from his duty with effect from 9.9.97 and he had informed the management about his sickness on 14.10.97 with Medical Certificate and being declared fit he reported for his duty but he was not allowed on the plea that he has been charge sheeted and he was not given any opportunity to defend himself during the enquiry proceedings and the Enquiry Officer submitted report exparte and ultimately the workman was dismissed illegally and since then workman is sitting idle without any job.

In this case the management has filed Written Statement on 13.3.2006 by Sri P.K. Goswami. Advocate and

on persual of the Written Statement I find that the workman was found unauthorized absent from February, 1996 to August, 1996 and the workman send a sick information on 19-4-97 and he was advised to appear before the Area Medical Officer for check up and further treatment. But he neither attended before the Area Medical Officer nor sent any reply to the charge sheet and accordingly enquiry was held exparte. The management has taken a plea that delay in raising the dispute is 7 years and the union did not show any reason for condonation of such long delay in raising the dispute. Hence the right to raise dispute by the workman automatically seized.

Thus from persual of the Written Statement filed by the management I find the management has admitted that the workman had sent a sick information on 14-10-97 to the management I find that the management did not produce that written information before this Tribunal nor has produced any document to show that the management has referred the matter to Area Medical Officer and the workman was advised to get check up and further treatment by the Area Medical Officer. Further I find that no witness has been examined on behalf of the management to corroborate the case of the management. Further I find that the management did not submit any adverse remark/report against the workman.

Considering the facts and circumstances of the case discussed above, I find that the workman was actually sick during his absence period and he could not get himself checked up by the Colliery doctor due to ignorance and the fact of sickness has also been admitted by the management. There is no adverse report regarding the previous conduct of the workman. So, in my opinion the action of the management is quite harsh and by this action the management has forced the workman and his family members to come on the road the purpose of begging which is against the principle of natural justice.

Accordingly the action of management of Satgram Area Office of M/s. ECL in dismissing the service of Satyadeo Singh, General Mazdoor *w.e.f* from 29.10.1998 is not legal and unjustified and the same is set aside. The management is directed to allow Satyadeo Singh to join in the same post within 2 (two) months from the date of notification with 25% back wages.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India. Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

कांआ 1912.—औद्योगिक विवाद अधिनियम, (1947 का 14) धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के

प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 50/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-08-2013 को प्राप्त हुआ था।

[सं एल 22012/10/1998-आईआर (सीएम-II)]

बी एम पटनायक, डेस्क अधिकारी

New Delhi, the 13 the August, 2013

S.O. 1912.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 50/1998) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, ASANSOL as shown in the Annexure, in the industrial dispute between the management of J.K. Ropeways of M/s ECL and their workmen, received by the Central Government on 13-08-2013.

[No. L-22012/10/1998-IR(CM-II)]

B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT: SRI JAYANTA KUMAR SEN
Presiding Officer

REFERENCE NO. 50 OF 1998

PARTIES: The Management of J.K. Ropeways, M/s ECL. Burdwan (WB)

Vs.

The Gen. Secy. WBKMS (UTUC), Sitarampur, (W.B.)

REPRESENTATIVES:

For the management: Sri P.K. Das, Ld. Advocate

For the union : Sri N. Ganguly, Ld. Representative (Workman)

Industry: Coal State: West Bengal

Dated 08-07-13

AWARD

In exercise of powers conferred by clause (d) of Sub-section (1) and Sub-Section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/10/98-IR(CM-II) dated 09.10.1998 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of J.K. Ropeways of M/s. Eastern Coalfields Ltd. By not

regularising Sh. Mahato as a clerk is legal and justified? If not, to what relief the workman of entitled to?"

Having received the Order of Letter No. L-22012/10/98-IR(CM-II) dated 09.10.1998 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of dispute, a reference case No. 50 of 1998 was registered on 20.10.1998 and accordingly an order to that effect was passed to issue notices the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

The workman Siddeswar Mahato was appointed as General Mazdoor but on oral direction he was posted at Vehicle Department to work as Clerical job on and from 16.3.92. The workman claimed that he is entitled to be regularized as Clerk. Grade-II with effect from 16.3.92 with difference of wages for the period from 16.3.92 to 24.4.1997.

From perusal of the Written Statement filed on behalf of the management dated 27.1.1989 I find that the management has denied the fact that the workman Siddeswar Mahato was ever posted and authorized by the management to work as Clerk since March, 1992 and he was never deputed to bring coal and distribute it amongst the staff of J.K. Ropeways and to keep record and to do any short of Clerical job in Vehicle Department because there was no need of any Clerk at Vehicle Department rather workman Siddeswar Mahato was working a Helper. It has further been submitted by the management that during June, 1996 and July, 1996 he was asked to go with the Dumper used for coal distribution as Helper along with one Dharamdeo Singh, Clerk engaged for Coal distribution and the workman concerned was never authorized by any letter of appointment as per rule of the management to do any act of Clerk. It has further been submitted that since the workman was never worked as Clerk so he is not entitled to get any other relief or relives as claimed.

On perusal of the documents filed on behalf of the workman I find that a series of letter addressed to CME (Agent/Manager). Lachipur Colliery, Kajora Area which are dated 26.6.96, 01.7.96 and 25.6.96 I find that this Siddeswar Mahato had issued these letters by putting his signature. Further on perusal of the letter issued by Sri A. Chakraborty, Dy. CME/Agent, J.K. Ropeways dated 27.6.96 Ref. No. ECL/JKR/A/SE/FC539 dated 27.6.96. I find that in Para-III of this letter the Dy. CME/Agent had authorized Sri Dharmdeo Singh, Clerk and Sri Siddeswar Mahato (Workman) for taking and dealing of coal from Jambad OCP. Thus I find that Sri Dharamdeo Singh working as Clerk and the workman Siddeswar Mahato was working as a Helper. So in my opinion the management of J.K. Ropeways of M/s. ECL cannot be directed to regularize Sri Siddeswar Mahato as Clerk but the management will constitute a

Board for interview of Sri Siddeswar Mahato that whether he is a fit for the post of Clerk and if he is found so fit, he can be promoted to the post of Clerk if there is no specific provision in the company for constitution of such Board, in that case the workman Siddeswar Mahato can be regularized as Clerk in accordance with the rule of the management.

At present I do not find any irregularity or illegality in the action of the management of J.K. Ropeways of ECL in its order for not regularizing Siddeswar Mahato as Clerk as he claimed.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1913.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 32/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं० एल-22012/236/1997-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1913.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 32/1998) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of Haripur Colliery of M/s ECL and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/236/1997-IR(CM-II)]

B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, ASANSOL

PRESENT: Sri Jayanta Kumar Sen, Presiding Officer

REFERENCE NO. 32 OF 1998

PARTIES: The Management of Haripur Colliery of ECL. Burdwan
Vs.
The Jt. Gen. Secy. C.M.U. Asansol (WB)

REPRESENTATIVES:

For the management: Sri P.K. Das, Ld. Advocate
 For the union : Sri M. M. Mukherjee. Ld.
 (Workman) Representative
 Industry: Coal State: West Bengal
 Dated 05.07.13

AWARD

In exercise of powers conferred by clause (d) of Sub-Section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947). Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/236/97-IR(CM-II) dated 22.07.1998 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the demand of the union about the alleged wrongful entry of date of birth of Sh. Sunil Banerjee as 10.4.1943 instead of 30.9.1945 is justified? If not, to what relief the workman entitled?"

Having received the Order of Letter No. L-22012/236/97-IR(CM-II) dated 22.07.98 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 32 of 1998 was registered on 10.08.1998 and accordingly an order to that effect was passed to issue notices the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

The Colliery Mazdoor Union has made a demand to correct the date of birth of Sunil Kumar Benerjee from 10.04.1943 to 30.09.1945. The matter has been referred from the Ministry decide whether the demand of the union is justified or not.

On perusal of the record I find that only one Photostate Copy of Admission Register of the year 1956 duly attested by the Headmaster of Mejia High School P.O. Mejia. Dist. Bankura to show that the date of birth of Sunil Kumar Banerjee is 30.09.1945 and nothing more. The workman Sunil Kumar Benerjee in his affidavit has stated he was employed in the Coalfield in the year 1956 and after completion of training he was permanently taken on roll of the then company in 1969 at Haripur Colliery. He also stated that he read up to Class-X at Mejia High School. He has further stated that in B form Register he declared his date of birth as 30.09.1945 and it was recorded. But subsequently in B form Register of the present management has wrongly entered the same as 10.4.1943 instead of 30.9.45. On perusal of the record I find that the original Admission Register of Mejia School has not

been produced by the workman to make it clear that his actual date of birth is 30.9.45 and not 10.4.43.

Considering the facts and circumstances of the case discussed above I find and come into the Conclusion that the workman Sunil Kumar Banerjee has failed to prove before this Tribunal that his actual date of birth is 30.9.45 and not as 10.4.43 which has been wrongly entered in the B form Register. Accordingly the demand of the union about the alleged entry of date birth of Sunil Kumar Banerjee in B form register as 10.4.43 remains intact and accordingly the demand of the union is not justified.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का०आ० 1914.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 39/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं एल-22012/194/1996-आईआर (सीएम-II)]
 बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1914.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947) the Central Government hereby publishes the Award (Ref. No. 39/1997) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between management of Kuardih Colliery M/s ECL and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/194/1996-IR(CM-II)]

B.M. PATNAIK, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
 ASANSOL**

PRESENT: Sri Jayanta Kumar Sen, Presiding Officer

REFERENCE NO. 39 OF 1997

PARTIES: The management of Kuardih Colliery of M/s ECL, Burdwan

Vs.

नई दिल्ली, 13 अगस्त, 2013

Shri R.K. Sharma, Org. Secy., CMU
(INTUC), Asansol (WB)

का०आ० 1915.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 72/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

REPRESENTATIVES:

For the management: None

For the union : None
(Workman)Industry: Coal State : West Bengal
Dated 28.05.13[सं० एल-22012/39/2000-आईआर (सीएम-II)]
बी० एम० पटनायक, डेस्क अधिकारी**AWARD**

In exercise of powers conferred by clause (d) of Sub-section I and Sub-Section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/194/96-IR(C-II) dated 11.09.1997 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the demand of the Colliery Mazdoor Union about on the management of Kuardih Colliery of ECL for regularisation of Sh. Kartik Bouri and Sh. Raj Kumar Singh, Drivers on the post of Sand Munshis is legal and justified? If not, to what reliefs are the workman entitled and from which date?"

Having received the Order of Letter No. L-22012/194/96-IR(C-II) dated 11.09.1997 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of dispute, a reference case No. 39 of 1997 was registered on 28.07.1997 and accordingly an order to that effect was passed to issue notices the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that the workman is neither appearing nor taking any step since 08.11.12. Several opportunities were given but of no effect. It seems that the workman is now not interested to proceed with the case any further. Since the workman is not interested to proceed with the case, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and the same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

New Delhi, the 13th August, 2013

S.O. 1915.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the Award Ref. No. 72/2000 of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between management of Ghanshyam Colliery of M/s ECL and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/39/2000-IR(CM-II)]
B. M. PATNAIK, Desk Officer**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
ASANSOL**

PRESENT: Sri Jayanta Kumar Sen, Presiding Officer**REFERENCE NO. 72 OF 2000****PARTIES:** The management of Ghanshyam Colliery of M/s ECL. Burdwan (WB)The Gen. Secy. UCMU(INTUC),
Ukhra, Burdwan (WB)**REPRESENTATIVES:**

For the management: Sri P.K. Goswami, Ld. Advocate

For the union : None
(Workman)Industry: Coal State: West Bengal
Dated 13.06.13**AWARD**

In exercise of powers conferred by clause (d) of Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), Govt. of India through the Ministry

of Labour *vide* its Order No. L-22012/39/2000-IR(CM-II) dated 04.08.2000 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Ghanshyam Colliery of M/s. Eastern Coalfields Ltd. in dismissing Sh. Ganesh Roudas, Underground Trammer from services is legal and justified? If not, to what reliefs are the workman entitled?"

Having received the Order of Letter No. L-22012/39/2000-IR(CM-II) dated 04.08.2000 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of dispute, a reference case No. 72 of 2000 was registered on 06.09.2000 and accordingly an order to that effect was passed to issue notices the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that the workman is neither appearing nor taking any step since long. Several opportunities were given but of no effect. It seems that the workman is now not interested to proceed with the case any further. Since the workman is not interested to proceed with the case, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and the same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

कांआ 1916.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स सी एम पी डी आई के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, आसनसोल के पंचाट (संदर्भ संख्या 17/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 को प्राप्त हुआ था।

[सं एल-22012/114/1998-आईआर (सीएम-II)]
बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 13th August, 2013

S.O. 1916.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 17/1999)

of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between management of C.M.P.D.I. and their workmen, received by the Central Government on 13/08/2013.

[No. L-22012/114/1998-IR(CM-II)]
B.M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT: Sri Jayanta Kumar Sen, Presiding Officer

REFERENCE NO. 17 OF 1999

PARTIES: The management of C.M.P.D.I. Ltd.,
R.I.-1, Asansol, Burdwan

Vs.

The Asst. Gen. Secy., KMC,
Asansol (WB)

REPRESENTATIVES:

For the management: Sri P.K. Das, Ld. Advocate

For the union : Sri S.K. Pandey, Ld.
(Workman) Representative

Industry: Coal State: West Bengal
Dated 05.07.13

AWARD

In exercise of powers conferred by clause (d) of Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/114/98-IR(CM-II) dated 27.01.1999 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of CMPDIL R.I. 1 in not regularizing/promoting Sh. Shobhanath Mishra, as Helper (Stores) in Cat. II is justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/114/98-IR(CM-II) dated 27.01.99 of the above said reference from the Govt. of India, Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 17 of 1999 was registered on 09.02.99 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance

of the said order notices by the registered post were sent to the parties concerned.

Admittedly the workman Sovanath Mishra was posted at Parbatpur Camp under RI-1, CMPDI, Dhanbad as General Mazdoor, Category No. 1 in 1986. It is further case that due to exigency of the work the workman was deployed to work there as Stores Helper since 1988. It is further case that consequent upon the closure of Parbatpur Drilling Camp under RI-II, CMPDI, Dhanbad the workman Sovanath Mishra transferred to Sonepur Bazari Hydro Camp of RI-I, CMPDI, Asansol as General Mazdoor, Category-I. The claim of the workman Sovanath Mishra that he should be given Helper (Store) in Category-II which the management of CMPDI has refused to regularize/promoting him in Category-II.

On perusal of the documents as well as Written Statement filed on behalf of the workman and by the management. I find that the management has not denied the fact that Shri Sovanath Mishra is working as Store Helper since 1988. Further from the Written Statement of the management I find that in 1997 a committee was constituted to consider the stability of those category of Mazdoors who are completed more than 10 years service in their same grade for their placement in appropriate category against actual requirement/vacancies subject to fulfillment of their requisite qualification and after interview the Committee found the workman Sovanath Mishra suitable for placement as Drill Helper, Category-II and subsequently office order was issued by HQ Ranchi designating the workman Sovanath Mishra as Drill Helper, Category-II, but the workman did not join the post of Drill Helper, Category-II and he continues as General Mazdoor, Category-I. It further appears that there is no provision for the post of Stores Helper in JBCCI. Thus I find that since 1988 the workman is working as Store Helper. It further appears that the workman was promoted as Drill Helper, Category-II by the management but the workman did not join the post of Drill Helper, Category-II and continue as General Mazdoor, Category-I. In my opinion the workman cannot claim his posting as per his choice as in this case the workman Shri Sovanath Mishra claiming as Helper (Store, Category-II whereas he had already promoted as Drill Helper, Category-II by the management which he refused to join. On perusal of the cross examination of the workman in Para-II I find that the workman has admitted this fact.

Since the workman is working on the verbal instruction of the management as Store Helper since 1988 and the management found him fit as Drill Helper, Category-II in 1997, so in my opinion the workman Sovanath Mishra is entitled to get 25% of his basic pay (without any allowance) of his existing pay since 1997 and till his post is not regularized in Category-II and the management is directed to reconsider his case further for his promotion in Category-II.

ORDER

Let an "Award" be and the same is passed as per above discussion. Send the copies of the order to the Govt. of India, Ministry of Labour, New Delhi for information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का० आ० 1917.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14), की धारा के अनुसरण में केन्द्रीय सरकार उत्तर रेलवे प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट संदर्भ संख्या (83/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13/08/2013 प्राप्त हुआ था।

[सं० एल-41012/2/2001-आई.आर.(बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 13th August, 2013

S.O. 1917.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 83/2001) of the Central Govt. Indus. Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the industrial dispute between the management of Northern Railway and their workmen, received by the Central Government on 13/08/2013.

[No. L-41012/2/2001-IR(B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, LUCKNOW

Present : Dr. MANJU NIGAM, Presiding Officer

I.D. No. 83/2001

Ref. No. L-41012/2/2001/IR (B-I)
dated: 09.05.2001

BETWEEN

Shri Brij Kishore
S/o Shri Jamuna Prasad,
C/o D.K. Jha, T-46-B, G.T. Road,
Kanpur-4

AND

1. Mandal Rail Prabandhak
Uttar Railway,
Mandal Karyalaya,
Allahabad-211006

2. Sahayak Sanket Evam Door
Sanchar Abhiyanta
Uttar Railway
Kanpur Central
3. Mukhya Sanket Nirikshak
(Maintenance)
Power Cabin
Uttar Railway
Kanpur-208 001

AWARD

1. By order No. L-41012/2/2001/IR (B-I) dated: 09.05.2001 the Central Government in the Ministry of Labour, New Delhi in exercise of powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) referred this industrial dispute between Shri Brij Kishore S/o Shri Jamuna Prasad, C/o D.K. Jha, T-46-B, G.T. Road, Kanpur and Mandal Rail Prabandhak, Uttar Railway, Mandal Karyalaya, Allahabad and Sahayak Sanket Evam Door Sanchar Abhiyanta, Uttar Railway, Kanpur Central and Mukhya Sanket Nirikshak (Maintenance), Power Cabin, Uttar Railway, Kanpur for adjudication.

The reference under adjudication is:

"Whether the action of the management of Assistant Signal and Telecom Engineer, Northern Railway, Kanpur Canal in terminating (removal) vide Order dated 19.2.1998 is legal and justified? If not, what relief the workman is entitled?"

3. It is admitted case of the parties that the workman, Brij Kishore Ashok Kumar was working as Helper Khalasi when he was served with a charge sheet dated 15.02.96 for unauthorized absence from 18.01.96 to 10.02.96. The Inquiry Officer after conducting inquiry submitted its report before the Disciplinary Authority, in which the charges levelled against the workman was found to be proved. The Disciplinary Authority, on the basis of findings of the Enquiry Officer, issued a Show Cause Notice on 24.01.98 to the workman and proposed the punishment of 'removal from the service'. Accordingly, he was removed from service vide punishment order dated 19.02.98. The aggrieved workman preferred an appeal, which was rejected by the Appellate Authority vide order dated 04.06.98.

4. It has been alleged by the workman that there was flagrant denial of natural justice to the workman in the course of the enquiry, in as much as he was not provided certain documents, requested by him during the course of enquiry which caused prejudice to him. Also, that the management did not produce the doctor who medically examined the workman and meson Sita Ram who are the most material and important witness, consequently the workman did not get an opportunity to cross examine them. It has also submitted that the management did not give him copy of inquiry report or show cause notice before inflicting

punishment upon him; therefore, the domestic enquiry is liable to be vitiated and the action of Railways in removing the workman from the service vide order dated 19.02.98 be declared unjust, unfair and illegal and the workman be reinstated with full back wages and other consequential benefits.

5. The management of the railways in its written statement has denied the allegations of the workman and has defended its domestic proceedings with submission that the workman had been afforded all opportunity given under rules. The principles of natural justice were fully complied with; hence, there is no anomaly with it; accordingly has prayed that domestic enquiry proceedings conducted by it may be upheld and the action of the management vide order dated 19.02.98 be declared just, fair and legal with out any benefit to the workman concerned.

6. After completion of the pleadings of the parties, following preliminary issues were framed in the presence of the parties vide order dated 01.03.2002:

- (i) Kya shramik ke virudh vibhagiya anushashnik jaanch uchit vaidh evm naisargik naya ke sidhanton ke anuroop the?
- (ii) Kya jaanch adhikaari dwara diye gai nishkarsh durahgrahpurna (perverse) the?

The parties were called upon to adduce their evidence on preliminary issues. The parties filed documents in support of their respective case and adduced oral evidence. The workman examined himself; whereas the management did not examine any witness on the above preliminary issues. The management availed opportunity to cross-examine each workman's witness. Both the parties forwarded oral arguments on preliminary issues.

7. After hearing the parties' authorized representatives of the parties and going through entire material available on record, following orders were passed on preliminary issues vide order dated 16.01.2006:

"Preliminary issues 1 and 2 decided against the management. The management is directed to file all the documents, list of witnesses in support of the charges levelled against the worker on 02.03.2006".

8. In compliance of order dated 16.01.2006 the management filed list of documents, paper No. C-35 and examined Shri Avinash Narayan Lal, DSTE in support of charges; whereas the workman relied on the documents and evidence forwarded by it earlier. The parties forwarded their oral argument.

9. Heard, parties and perused entire material available on record.

10. It has been contended by the authorized representative of the management that the workman had been habitual absentee; and was penalized many time with

minor penalties for unauthorized absence. It has been further submitted that there is sufficient evidence that the workman had been in habit of absenting himself without any prior sanction, therefore, the charges levelled against him *vide* charge sheet dated 15.02.96 is well provided; and accordingly, the impugned order dated 19.02.98 is justified and well proportionate and the same is liable to be upheld.

11. In rebuttal the workman's representative has argued that the domestic inquiry, conducted by the management, had been vitiated by this Tribunal *vide* order dated 16.01.2006 and the management was afforded opportunity to lead evidence before this Tribunal to prove its charge sheet dated 15.02.96; and it is supposed to remain within the circumference of the said charge sheet only. Instead the management has deviated from the charge sheet under dispute; which is regarding his unauthorized absence from 18.01.96 to 11.02.96. There is no charge on the workman in the charge sheet dated 15.02.96 that the workman is habitual absentee. It has also argued that the management did not produce any material witness to prove the charges before this Tribunal; accordingly, the charge sheet dated 15.02.96 be cancelled and the workman be reinstated back into the services with all consequential benefits.

12. Heard representatives of the parties at length and perused entire evidence on record.

13. In the instant case, my predecessor *vide* its order dated 16.01.2006 deciding both the preliminary issues in favour of the workman found that the inquiry conducted by the management was not in accordance with the principles of natural justice. The workman was not afforded full and proper opportunity to defend himself; and also that the findings of the inquiry officer were found to be perverse. This led to filing of fresh evidence by the parties before this Tribunal in support of their respective stand.

The management has come forward with a case that the workman was habitual absentee and was penalized by various minor penalties for unauthorized absence during his service tenure. In its evidence, the management, has tried to substantiate that the workman was habitual absentee. In rebuttal the workman has put emphasis on the fact that on the fateful day he was on his duty when all of sudden felt ill and since there was no facility of doctor etc. by the Railway he left the train and went his daughter's home after informing and taking the permission of his next senior officer *viz.* Shri Sita Ram, Meson. It is also pleaded by the workman that after getting well submitted Medical Certificate and Fitness Memo for the period 18.01.96 to 10.02.96 for 24 days; and on the basis of which he was allowed to join duties.

14. A careful scrutiny of the charge sheet dated 15.02.96 shows that the annexure-1 to the standard form of charge sheet bears charge for absence from 18.01.96 to 10.02.96. It also states that the workman had been in habit

of keeping himself absent without permission of the Competent Authority; but no detail of such absence in the past has been provided in the charge sheet nor is there any evidence on record in support of the contention by the management regarding habitual absence. This makes the charge sheet ineffective and vague.

15. Hon'ble Apex Court in Chairman-cum-Managing Director, Coal India Limited and another vs. Mukul Kumar Choudhuri and others (2010) 2 SCC (L&S) 499 directed for reinstatement of the delinquent for the proved charges of unauthorised absence for a period of more than six months, being the punishment of removal unduly harsh and grossly in excess to the allegations; but withheld the back wage by the way of punishment for proved misconduct of unauthorized absence. The Court observed as under:

"In a case like the present one where the misconduct of the delinquent was unauthorized absence from duty for six months but upon being charged of such misconduct, he fairly admitted his guilt and explained the reasons for his absence by stating that he did not have any intention nor desired to disobey the order of higher authority or violate any of the Company's rules and regulations but the reason was purely personal and beyond his control and, as a matter of fact, he sent his resignation which was not accepted, the order of removal cannot be held to be justified, since in our judgment, no reasonable employer would have imposed extreme punishment of removal in like circumstances. The punishment is not only unduly harsh but grossly in excess to the allegations."

16. In the instant case the workman had been deputed on the duty to Aligarh and while on his duty when he was on his way back to the Kanpur on 18.01.96 he felt unwell. Therefore, after informing his senior colleague Shri Sita Ram, Meson he departed in the midway to his daughter's home as there was no medical facility available there in Panki railway station. The management has neither produced Sita Ram as witness to rebut the contentions of the workman that he informed and take his permission before leaving from the duty nor has adduced any evidence that there were medical facilities available on the Panki railway station. Also, the workman on his way back to his duty filed his Medical Certificate and Fitness Memo. Having accepted the Medical Certificate and Fitness Memo the workman was permitted to join the duties. Also, while serving the charge sheet to the workman regarding alleged unauthorized absence from 18.01.96 to 10.02.96, though the management mentioned for his habit of remaining absent unauthorisedly; but did not provide any details thereof; and this deprived the workman to make effective defence before Inquiry Officer as well this Tribunal. However, the management has come forward with a list of minor penalties imposed upon him; but the same is after thought with respect to charge sheet as there is no

reference of either minor penalties imposed earlier nor of the previous unauthorized absence.

17. Therefore under the facts and the circumstances and considering the law, it comes out that the punishment, imposed by the management upon the workman for unauthorized absence from 18.01.96 to 10.02.96 for 24 days, in my opinion, is not only unduly harsh but grossly in excess to the allegations, therefore, the impugned order of removal dated 19.02.1998 is set aside; and the workman, Brij Kishore is directed to be reinstated with all consequential benefits, except the back wages from the date of removal until reinstatement by the way of punishment for his unauthorized absence from 18.01.96 to 10.02.96.

18. Award as above.

LUCKNOW, Dr. MANJU NIGAM, Presiding Officer
17th July, 2013

नई दिल्ली, 13 अगस्त, 2013

का० आ० 1918.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार अन एफ रेलवे के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, गुवाहाटी के पंचाट (संदर्भ संख्या 03/2009) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12/08/2013 को प्राप्त हुआ था।

[सं. एल-41011/49/2008-आईआर (बी-1)]
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 13th August, 2013

S.O. 1918.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 03/2009) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Guwahati as shown in the Annexure, in the industrial dispute between the management of N.F. Railway, and their workmen, received by the Central Government on 12/08/2013.

[No. L-41011/49/2008-IR(B-I)]
SUMATI SAKLANI, Section Officer

ANNEXURE

IN THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, GUWAHATI, ASSAM

Present: Sri L.C. Dey, M.A., LL.B.
Presiding Officer,
CGIT-cum-Labour Court, Guwahati.
In the matter of an Industrial
Dispute between :
The Management N.F. Railway,
Maligaon, Guwahati.

-Vs-

Their Workmen represented by the
General Secretary, Rail Mazdoor
Union, N.F. Zone, East Maligaon,
Guwahati.

Ref. Case No. 03 of 2009.

APPEARANCES

For the Management: Mr. K.C. Sarmah, Advocate.

For the Workman: Mrs. M. Bora, Advocate.

Date of Award: 05.03.2013

AWARD

1. This reference case has been initiated upon the Order No. L-41011/49/2008-IR(B-I); Dated: 28/05/2009, issued by the Ministry of Labour & Employment, Government of India, on the Industrial Dispute raised by Rail Mazdoor Union, N.F. Railway, East Maligaon, Guwahati-11 in respect of Ministerial Staff in Personnel Department of Rangiya Division on the allegation of not giving them proper restructuring benefits by non-creation/non-filling/less operation of higher grade posts in Ministerial cadre owing to bifurcation of the then Alipurduar Junction to Rangiya Division. The Schedule of the Reference is as under:

SCHEDULE

"Whether the action of the management of N.F. Railway in not giving proper restructuring benefits to the personal staffs of Rangiya Division by non filling/less operation of higher grade posts in Ministerial cadre as a result of bifurcation of Alipurduar Junction Division to Rangiya District is proper/To what relief they are entitled?"

2. On receipt of this order from the Ministry this Reference case has been registered and notices were served upon both the parties who appeared and contested the proceeding by filing their respective claim statements/written statements along with relevant documents.

3. The case of the Union as it reveals from their claim statements is as follows.

The Railway Board created Rangiya Division bifurcating the Alipurduar Division of N.F. Railway which came into operation *w.e.f.* 01.04.2003. Due to poor response from the staff to submit options to transfer to Rangiya Division a meeting was convened by the Chief Personnel Officer for General Manager (Personnel), Maligaon on 24.02.2003 in presence of representatives of recognized Trade Union by the Management of the Rail Mazdoor Union, N.F. Railways Employees Union, Divisional Railway Manager, Alipurduar Junction and representatives of O.S.D. Rangiya Division to discuss the matter of providing staff to new Rangiya Division. It has been decided in the said

meeting that out of 700 post of Alipurduar Junction Division 50% of the Post would be transferred to Rangiya Division or surrendered; and option may also be called from other Divisions for transfer to Rangiya Division. As per the calculated share of the sanctioned posts of the personnel department under DRM(P) Rangiya, N.F. Railway, from Alipurduar Junction Division came to 121 all grades included. But Alipurduar Junction Division did not distribute the said post as on 1.4.2003 which is the date of functioning and on that day it receives only 76 posts. Thereafter, Rangiya Division restructured the higher grade post on the basis of the posted strength of 147 received later on from the Alipurduar Junction, higher grade post would have been more.

It is mentioned in the claim statement that as per para-5 of Annexure-A wherein all the instructions noted in connection with bifurcation of actual staff, and the minutes of meeting in regard to cadre of Rangiya Division. The restructuring of Rangiya Division Ministerial Staff would be done on the post available as on 1.11.2003 and in case the number of incumbent will be more on 1.11.2003 the Post transferred to Rangiya Division after 1.11.2003 will be notionally taken into account for restructuring to the extent of number of men available in the concerned unit. But the Alipurduar Junction Division detained all 65 Posts in their cadre strength of 76 posts. By this way staff of Alipurduar Junction Division took the benefit of promotion due to cadre restructuring because of creation of more number of higher posts and as a matter of rule they should be transferred all employees with post. In terms of Railway Board's letter No. PC-III/2003/CRC/6 dated 09.10.2006 the total number of ministerial staff of personnel Branch of Rangiya Division including New Bongaigaon Workshop should have been 121 and the restructuring of higher grade post was effective from 1.11.2003. But the management of Rangiya Division took no interest to fill up higher grade post and created less number of taking the strength of cadre as 76 *vide* Memo No. E/240/Restruct/EQ/RNY dated 31.03.2005. Due to such arbitrary policy of the Management the interest of ministerial staff of Rangiya Division, the workmen suffer irreparable loss and damage such as, loss of promotional prospect, loss of wages and economic damage and loss of retirement benefit. Therefore the management did not comply the agreement regarding bifurcation of Alipurduar Junction Division and violated fundamental right of the workmen guaranteed under the Constitution of India by applying their own decision and directives of the Railway Board. Instead of applying the scheme of restructuring of the cadre the authorities of Rangiya Division sought to consider the staff of Personnel Branch for promotion by way of Selection and for giving restructuring benefit at their original office treating their option from Rangiya Division as transfer on administrative ground. The scheme of restructuring of cadre has been finalized as on 31.3.2005 in Rangiya Division's Personnel Branch not on the prescribed cadre strength as on 1.11.2003 comprising the post allotted through the aforementioned

bifurcation. It is submitted that all the workmen as part of their ministerial cadre of Personnel Branch deserve the benefit of restructuring of cadre as and when arose at per with the bifurcated cadre strength allotted to alipurduar Division (50%) at the cut off date of bifurcation by giving benefits of restructuring of cadre to those at the Alipurduar Division Personnel Branch reckoning the prescribed percentage on cadre strength outside the rule. Thus the workmen are deprived of getting their promotion to higher grade, wages in cumulative count and retirement benefit. Hence, the workmen pray for relief of due promotion to higher grade post be allowed with effect from 1.11.2003 with back wages, seniority as per date of promotion over juniors promoted earlier, and any other consequential and incidental benefits.

4. The Management on the other hand, made out the case in their pleadings stating that as per the joint procedural note dated 3.2.03. It was decided that the staff as on 31.01.2003 would be divided at the ratio 50 : 50 between the Alipurduar Junction Division and Rangiya Division and accordingly 70 posts came under Rangiya Division but the said posts were not transferred at a time to Rangiya Division. Regarding cadre of Rangiya a meeting was held on 3.2.2005 wherein, it was decided restructuring of Rangiya Division (Ministerial Staff) to be done on the posts available as on 1.11.2003 and in case the number of incumbents are more as on 01.11.2003 the post transferred to Rangiya after 01.11.2003 would be notionally taken into account for restructuring to the extent of number of men available in the concerned unit and the restructuring of the clerical cadre of Personnel Branch at Rangiya Railway Division was done on 31.3.2005 of total strength of 76 posts prevailing as on 1.11.2003. It is also averred that in terms of para-1 of Railway Board's letter No. PC III/2003/CRC/6 dated 9.10.2003, restructuring of cadre would be with reference to the sanctioned cadre strength as on the date of following the date on which the cadre in the headquarter offices of New Zonal Railways/New Division re-closed; and the benefits of the restructuring would be restricted to the persons who are working in a particular cadre in the headquarter offices of New Zonal Railways/New Divisions are-closed; and the benefit of restructuring would be restricted to the persons who are working in a particular cadre in the headquarter offices of New Zonal Railways/New Divisions re-closed; and the benefit of restructuring would be restricted to the persons who are working in a particular cadre on the cut off date and in terms of para 3.1 of Railway Board's letter dated 6.1.2004 as mentioned above. The Management added that 61 clerical post in different grades were transferred to Rangiya Division in different phases on completion of restructuring process at Alipurduar Junction based on total strength *i.e.* 172 posts. The Management added that altogether 121 posts of Ministerial cadre under DRM(P)/RNY has been given benefit of restructuring as on 1.11.03. It is also mentioned that the DRM(P), Rangiya has processed selection to fill up vacancy in different grade in the ministerial cadre under the Personnel

Branch. Further the posting order for filling up of vacancies of Ch. OS(E) and OS/E I already been issued on 29.1.2008 and 14.3.2008. Under the above circumstances the management prayed to dismiss the case with cost.

5. During the pendency of the proceeding at the stage of hearing of Union side on 09.10.2012 General Secretary, Rail Mazdoor Union, N.F. Zone, Guwahati submitted petition through their learned Advocate with prayer for withdrawal of the dispute on behalf of the Union. The copies of the said petition has been furnished to the Management of N.F. Railway. On personal appearance of the General Secretary, Rail Mazdoor Union, N.F. Zone, Guwahati, his statement was recorded.

6. Perused the pleadings of both the sides along with the petition dated 9.10.2012 filed by the Union and the statement of the General Secretary of the Rail Mazdoor Union, N.F. Zone, Guwahati. The General Secretary of Rail Mazdoor Union in his petition stated that the dispute arose between the Management and the Rail Mazdoor Union regarding restructuring to the personnel staff of Rangiya Division and accordingly this Reference Case was forwarded by the Ministry. He also mentioned that during the pendency of this case a good number of employees under Rail Mazdoor Union have been transferred to different places and some of them have got promotion and other benefits as such, the workmen are not interested to continue this proceeding. I have heard the learned Advocates for both the sides while the learned Advocate for the Management of N.F. Railway most fairly submitted that since the workmen are now satisfied and they are already getting all the benefits of promotion etc. the Management of N.F. Railway has no objection to the prayer for withdrawal of the Union from the Proceeding.

7. Considering the above circumstances and having regard to the facts and circumstances of the Reference and the latest position of the workmen as stated in their petition as well as in the statement of the General Secretary of the Union in regard to their dispute claiming proper restructuring benefits to the personnel staff of Rangiya Division, it is revealed that the workmen have been satisfied in the mean time and they have been transferred to other Division and some of them have got promotion and other benefits as such, the workmen are not willing to proceed with the Reference. The Management of N.F. Railway have also expressed their no objection to the withdrawal of the Reference by the Union. Thus it is clear that both the parties are not interested to proceed further.

8. In view of the above discussion and the contentions of both the sides and having regard to the ends of justice I find, no reason to stand as a hurdle on the withdrawal of the proceeding by the Union. Accordingly the Union is allowed to withdraw the proceeding and the Reference is disposed without granting any relief.

9. Send the no relief Award to the Government as per procedure.

Given under my hand and seal of this Court on this 5th day of March 2013.

L.C. DEY, Presiding Officer

नई दिल्ली, 13 अगस्त, 2013

का० आ० 1919.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या 31/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12/08/2013 को प्राप्त हुआ था।

[सं. एल-12012/23/2005-आई आर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 13th August, 2013

S.O. 1919.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 31/2005) of the Cent. Govt. Indus. Tribunal-cum-Labour Court No. 1, Chandigarh as shown in the Annexure, in the industrial dispute between the management of State Bank of India, and their workmen, received by the Central Government on 12/08/2013

[No. L-12012/23/2005-IR(B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

**BEBORE SHRI S.P. SINGH, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT-I, CHANDIGARH**

Case No. ID 31/2005

Smt. Shashi Sharma,
C/o Shri H.B.S. Batra,
Dy. General Secretary,
SBI Staff Association,
SBI, Zonal Office Haryana,
Panchkula

...Workman.

Vs.

The Assistant General
Manager, SBI,
Region-III, Z.O.,
Sector-5, Panchkula
(Haryana)

...Management

APPEARANCES

For the Workman: Shri P.K. Longia Advocate.

For the Management: Shri N.K. Zakhmi Advocate.

AWARD

Passed on 7th of August 2013

Central Govt. *vide* letter No. L-12012/23/2005-IR(B-I) dated 4.7.2005 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of State Bank of India (AGM-III) Panchkula of removal of service of Smt. Shashi Sharma, Sr. Assistant *w.e.f.* 9.10.2003 is just and legal? If not, to what relief the workman is entitled to?"

2. Workman filed the claim statement in which it is pleaded that she joined the respondent management as Clerk on 21.4.1981 at Rewari Branch and later on promoted as Senior Assistant. It is pleaded that in February 2000 she was transferred to Daruhera Branch and while posting at Daruhera Branch she was placed under suspension on 3.5.2000 in connection with certain acts of misconduct at Rewari Branch. A charge-sheet dated 29.6.2001 was served upon her containing six charges. The charge sheet dated 29.6.2001 is reproduced below:

"It has been alleged against you that you while working on STDR seat at Rewari branch committed undenoted serious acts of omission and commission which facilitated the perpetration of the fraud of Rs. 1,12,003.

- (i) You allegedly tampered with Bank's records relating to STDR of Thakur Goverdhan Singh to benefit your Sister Smt. Kusum. In this connection, the following lapses are alleged to be attributable to you.
- (ii) You surreptitiously added the name of Smt. Kusum, your Sister after the name of Thakur Goverdhan Singh on STDR No. 403727 dated 6.10.1997 for Rs. 92,000 at the time of its renewal on 4.8.98, deleted self and replaced it with E or S on the STDR to create fictitious record to show that the STDR was in joint name.
- (iii) Neither you obtained a request letter from late Thakur Goverdhan Singh for adding the name of another beneficiary nor got the additions/alterations authenticated from the concerned official on the above STDR No. 403727 dated 6.10.97 for Rs. 92,000.
- (iv) you altered the SS. No. 85/555 to 85/1555 on the paid STDR No. 403727 dated 6.10.97 for Rs. 92,000 (paid on 4.8.98) and in the STDR register whereas SS. No. 85/555 has been indicated on STDR pay in slip dated 6.10.97 for Rs. 92,000 filled in by you.
- (v) You added the name of Smt. Kusum your Sister on STDR pay in slip dated 4.8.98 for Rs. 100000

(STDR No. 406450) after the name of Sh. Goverdhan Singh and also added the mandate E or S.

- (vi) You also made similar entries in the STDR Register. Got Signed the STDR pay in slip from Smt. Kusum in the column Received STDR whereas the STDR (406450) was issued in the Single name of Thakur Goverdhan Singh (deceased) The above acts of misconduct on your part are of serious in nature. The bank, therefore, charge you as under:—

Doing acts prejudicial to the interest of the bank which falls under the purview of gross misconduct in terms of para 521(4) (j) of Sastry Award."

3. It is submitted by the workman in the claim statement that Inquiry Officer was appointed who conducted the inquiry in a biased and partial manner against the principles of natural justice and fair play to appease the respondent management. The Inquiry Officer has not taken into consideration the evidence and based his finding on the handwriting expert who was not allowed to be cross-examined on behalf of the workman by the enquiry officer during inquiry. The management also did not Supply the documents demanded by the workman which include preliminary investigation report, death certificate of said Thakur Govardhan Singh and statement of account opening form of Thakur Govardhan Singh at State Bank of Indore, Rewari Branch. It is pleaded by the workman that Thakur Goverdhan Singh (depositor) expired on 19.9.1995 but even after his death STDR No. 554847 was paid and renewed for Rs. 82200, STDR No. 441656 paid on 24.9.1996 for Rs. 92000 and banker cheque was issued in favour of Thakur Goverdhan Singh and STDR No. 403727 paid on 4.8.1998 renewed for Rs. 1 lakh and banker cheque was issued in favour of Govardhan Singh. These proceeds were credited and withdrawn through SB A/c of Govardhan Singh with State Bank of Indore, Rewari Branch whose SB Account was opened after the death of Sh. Govardhan Singh in his name and during the process of inquiry it was revealed that this Saving Bank Account was introduced by the staff member of that branch of State Bank of Indore. No complaint was filed by anybody regarding the addition of the name of Smt. Kusum in the STDR No. 406450 for Rs. 1 lakh and this shows the biasness of the bank management. Inquiry Officer was acting hand in glove with the Presenting Officer and he was bent upon in proving the charges against the workman. Charge sheet was not specific and fabricated concocted and false allegations were made against the workman. Charge sheet contained six charges from which one was not proved totally, one was proved partly and other four were proved by the Inquiry Officer which are against the evidence recorded during inquiry. The Inquiry Officer was acting on the directions of the bank management to prove the

charges. As Inquiry Officer was under pressure from the Presenting Officer and on one occasion, the Inquiry Officer signed the amended finding on the asking of the bank management as earlier he has not given his finding on charge No. 1 and 2. It also shows the biasness of Inquiry Officer. Findings of the Inquiry Officer are not based upon documentary proof or any other material witness or document. The appeal filed by the workman was also rejected on flimsy ground as she was not given any personal hearing and the appellate authority on 31.7.2003 on which date the bank claimed that the personal hearing was given, was on official tour and some papers have got signed from the workman on the pretext that these were required for marking attendance and next date would be given for personal hearing. But to the surprise of the workman the appeal was rejected by the appellate authority by showing that she was given personal hearing on 31.7.2003 on which date the appellate authority was on tour to outstation. The workman was also not paid subsistence allowance during suspension which also held the inquiry as vitiated. Relevant documents were not supplied by the management inasmuch as the death certificate of said Govardhan Singh was supplied at the verge of finishing of the inquiry. The punishment imposed upon the workman is also disproportionate inasmuch as the workman was terminated from service on the basis of the inquiry which was against the principles of natural justice and against the settled principles of law. The workman prayed that order of punishment of removal inflicted upon her be set aside and the management may be directed to reinstate her in service with full back wages and all other consequential benefits and other appropriate relief with costs.

4. Management filed written statement in which it is pleaded by the management that fair and proper inquiry was held and the workman was given full opportunity to defend herself during inquiry. Order of punishment passed by the management is legal and justified. The appeal was also disposed of by the Deputy General Manager after giving personal hearing to the workman. The inquiry Officer conducted the inquiry in a very fair manner and his findings are based on the evidence adduced by the management during inquiry. It is further pleaded by the management that there was no need for any complaint in the charges. Other allegations regarding charges have been denied by the management. Regarding personal hearing by the appellate authority it is admitted by the management that appellate authority was away on tour on 31.7.2003 but is stated that she was given personal hearing on 1.8.2003. It is further pleaded that punishment of removal from service upon workman is proportionate to the gravity of misconduct and action of the management in removing the workman from service is legal and valid. In additional plea the management also prayed that if this Hon'ble Tribunal observe any infirmity in the inquiry at any stage then the management may be allowed to lead any evidence orally or documentary to prove the charges.

5. The workman filed rejoinder to the written statement denying the stand of the management and reiterating the claim made in the claim statement. It is also pleaded in the rejoinder that the Inquiry Officer in the letter dated 18.11.2002, some instructions were given by the disciplinary authority. Inquiry Officer amended his finding on charge No. 1 and 2. This conduct of the inquiry officer shows that he was under pressure from the management to prove the charges and this cannot be taken as inquiry conducted in fair and proper manner. It is also pleaded by the workman in the rejoinder that evidence on record clearly proved that request letter was received from Thakur Govardhan Singh in October 1998 at the name of Smt. Kusum on STDR No. 406450 dated 4.8.1998 for Rs. 1 lakh and the same was got approved by the competent officer at the instruction of Desk Officer but inadvertently, these entries were made on STDR No. 403727 for Rs. 92,000. The management witness admitted the possibility of omission of his initial on such alteration due to rush of work. PW2, PW3 also admitted that while making payment of STDR No. 711533 for Rs. 1,10,900 on 5.8.1999 he tallied the signature with said request letter which prove that addition of name of Smt. Kusum on STDR No. 403727 for 92,000 was made inadvertently by mistake, rather these additions were to be made on STDR No. 406450 for Rs. 1 lakh. It is also pleaded in the rejoinder that there was no complaint from Thakur Govardhan Singh and his family member nor any witness was produced by the management during inquiry. The workman prayed that charge-sheet, inquiry proceedings, and order based upon this, is illegal and the same may be set aside.

6. Workman filed her affidavit on the same line as that of the claim statement. Management in evidence filed the affidavit of Jai Prakash Rathi, R.B. Sehgal and Rakesh Saxena but produced only one witness Sh. Jai Prakash Rathi, R.B. Sehgal and Rakesh Saxena but produced only one witness Sh. Jai Prakash Rathi.

7. The workman on 21.3.2010 filed one application for recalling the order by which the management was allowed for summoning the handwriting expert Sh. S.N. Aggarwal to which the reply was also filed and later on the management also filed application for permission to get documents examined through forensic expert and after reply the application of the management was allowed. The workman examined herself on 29.7.2010. After that the management examined handwriting expert Dr. Jassy Anand. On merits of the case the management produced only one witness MW2 Jai Prakash Rathi who during cross-examination admitted that he never remained posted at Rewari Branch of the bank and the departmental proceedings were never conducted in his presence. He never attended and never associated with the inquiry proceedings. Other witnesses whose affidavits were filed by the management were not examined by the management

and were not subjected to cross-examination. Therefore their affidavits are meaningless on record.

8. I have heard the parties and also gone through the evidence on record. During arguments learned counsel for the workman submitted that the inquiry was conducted in a biased manner inasmuch as the workman was not supplied documents. Preliminary inquiry report was not given to her and there was no complaint by anybody against her. The only charge which was bifurcated by the management in six charges was that the workman added the name of Smt. Kusum on STDR for Rs. 1 lakh which was made by her after receipt of proper application and after approval from the senior as revealed from the evidence of PW1, PW2, PW3 during enquiry. These management witnesses stated in their cross-examination that application may have been there and the concerned officer may have signed those but the application is not traceable. It is submitted by the learned counsel for the workman that the custodian of the such application is the Branch Manager and charge-sheet was served after transfer of the workman from Rewari Branch to Daru Hera Branch. No loss was caused to the bank as Smt. Kusum deposited the entire amount with the bank of the proceed of the above STDR. The request letter moved by Thakur Govardhan Singh must have been in the custody of the management. The documents demanded by the workman were not supplied to her and the death certificate to the above Sh. Govardhan Singh was supplied at the far end of the inquiry. The Inquiry Officer during inquiry proved the charges under the pressure of the management as the conduct of the inquiry officer in writing letter dated 18.9.2002 in which he was shown to have changed his finding on charges No. 1 and 2 under the pressure of the disciplinary authority. It is further submitted by the learned counsel for the workman that the Inquiry Officer based his finding on the report of the handwriting expert Sh. Somnath Aggarwal who was not allowed to be cross-examined by the Inquiry Officer and the request of the workman to produce another handwriting expert was turned down by the Inquiry Officer during inquiry which goes to prove that inquiry was conducted in highly biased manner against the principles of natural justice and fair play. The workman was not given full opportunity to defend herself during inquiry and on the advice of the presenting Officer and the Inquiry Officer was changing his version time and again. It is further submitted by the learned counsel for the workman that the conduct of the management in providing personal hearing at the stage of the appeal also shows that the management handled the inquiry in a very poor manner as much as on the date of personal hearing i.e. 31.7.2003 the appellate authority was away on tour and she was made to sign some papers for marking the attendance for personal hearing in appeal and later on the appeal was decided without providing any opportunity of personal hearing to the workman. The management never paid any subsistence allowance to the workman from the

date of suspension to the date of termination. On this score also the inquiry is liable to be set aside. It is further submitted by the learned counsel for workman that even after this Tribunal has allowed the parties to lead evidence in support of their respective version the management failed to prove the charges in the Court itself and only one witness of the fact was produced MW2 who never attended inquiry and does not know anything about the case and thus the management failed to prove the charges in the Court itself. The management failed to justify its action of removal from service of the workman and on the basis of the facts and circumstances of the case also the punishment imposed upon the workman is very excessive, disproportionate to the alleged misconduct on the part of the workman. It is prayed by the learned counsel for the workman that workman may be reinstated in service with fully back wages with all attendant benefits. The learned counsel also filed case laws in support of this argument.

9. Learned counsel for the management during arguments submitted that the workman was found guilty of serious misconduct as she inserted the name of Smt. Kusum as the beneficiary of the STDR which was originally in the name of Thakur Goverdhan Singh. It is also submitted that said Smt. Kusum is the sister of the workman and she inserted the name of her sister with the fraudulent intention. The learned counsel for the management also stressed that the workman was given fully opportunity to defend herself during the enquiry. She was allowed to put her defence. She was not supplied the documents as the documents demanded by her were not relevant. Handwriting expert was engaged by the management during enquiry and he gave his findings after examining the documents relating to the signatures of the workman. The workman was found guilty of the charges and she was rightly removed from service. Enquiry was conducted in fair and proper manner in accordance with the principle of natural justice and the workman is not entitled to any relief.

10. The first and foremost question to be determined is 'whether the departmental enquiry was conducted in a fair and proper manner adhering to the principle of natural justice'? The learned predecessor *vide* order dated 4.9.2009 held that findings on genuineness of enquiry can be given by this Tribunal after affording the opportunity of additional evidence to both the parties. It is pertinent to mention here that in this order, it was also mentioned that few documents as mentioned in para No. 3(B) (i)(ii)(iii) of the claim petition have not been provided to the workman at the time of enquiry. This fact has been accepted by the management of the bank in its written statement that documents mentioned in para No. 3(B)(i)(ii)(iii) of the claim petition were not provided to the workman as these were not relied upon by the management. From the perusal of the claim statement, it is clear that the preliminary investigation report was not given to the workman, death

certificate of Goverdhan Singh was given to the workman after the evidence of the workman during enquiry. Workman on 16.11.2001 moved an application to the enquiry officer requesting therein for providing the documents of STDR 403727 and 402450. Workman also requested other STDR of so called deceased Thakur Goverdhan Singh, copy of SS Card No. 85/555 and copy of saving bank account of Thakur Goverdhan Singh in other than State Bank Branch. The workman also demanded copy of death certificate of Goverdhan Singh and report of handwriting expert was also demanded by this letter dated 16.11.2001 during the enquiry. The documents demanded by the workman were the relevant document for submitting her reply/explanation and the workman was prejudiced by not supplying the documents at the time of departmental enquiry.

11. In this regard, the management referred 1978 II Labour Law Journal page 218, *Pure Drinks Pvt. Ltd. Vs. Bombay Mazdoor Sabha Bombay* and another, 2004 L.L.J. Page 340 *Kashyap S.R. Vs. Canara Bank*.

12. The workman referred case law 2013(1) S.C.T. 4167 *Ms. Annamma Jose Vs. M/s Maruti Suzuki India Ltd.*, 2009(3) S.C.T. 78 *The Haryana Co-op., Sugar Mills Ltd. Rohtak Vs. Presiding Officer, Industrial Tribunal-cum-Labour Court Rohtak* and others, 2007(1) SLR 88 *Deoki Das Vs. Union of India* and ors., 2004(1) SLR 570 *State Bank of India Vs. J.R. Surma* and another, 2008(2) S.C.T. 750 *Mavji C. Lakum Vs. Central Bank of India* and 1996(4) S.C.T. 638 *Dr. K.K. Sharma Vs. State of Punjab*. The learned counsel for the workman also prayed for indulgence of this Tribunal under 11A of the I.D. Act for impart any punishment except removal from service to the workman if find guilty.

13. With due respect with the findings of the case laws referred by the management, facts and circumstances are quite different to the facts and circumstances of the case of the workman.

14. Workman also submitted that the findings of enquiry report were changed/amended without giving any opportunity of being heard to the workman. For this submission, Learned counsel for the workman referred to the enquiry file letter dated 18-11-2002 written by Shri Rakesh Sexena, Enquiry Officer to the Assistant General Manager (Disciplinary Authority) in respect of the workman). From the perusal of this letter, it is clear that enquiry officer on telephonic advice, changed/amended the findings of some charges without giving any opportunity of being heard to the workman. Thus the enquiry was not conducted in fair and proper manner and workman's right to defence was prejudiced.

15. In view of the order dated 4.9.2009 passed by learned predecessor both the parties were given

opportunity to lead additional evidence if any. The management produced handwriting expert, other witness was produced by the management Mr. Jai Prakash Rathi who stated in cross-examination that he never remained posted at Rewari Branch and enquiry proceedings were not conducted in his presence and he never attended any departmental proceedings and never associated with the enquiry proceedings. Though the management placed on record the affidavit of Mr. R.B. Sehgal who remained posted as Manager (Disciplinary Proceedings Section) and Shri Rakesh Saxena who was the enquiry officer. But the management for the reasons best known to them choose not to produce these witness for the acid test of cross-examination on behalf of the workman.

16. The management during enquiry produced Shri Som Nath Aggarwal, hand writing expert, on whose opinion the workman was held guilty of the charges. It is strange that neither his report was given to the workman nor he was allowed to be cross-examined by the workman. During enquiry, workman also requested to the enquiry officer to engage a handwriting expert, that request was also not allowed by the enquiry officer. The action on the part of the enquiry officer also shows that the enquiry officer was not acting fairly and also greatly prejudice the cause of the workman.

17. The learned counsel for the workman also submitted that request letter was received from Thakur Goverdhan Singh in October, 1998 to add the name of Smt. Kusum on STDR No. 406450 dated 4.8.1998 for rupees one lakh and the same was approved by the competent officer at the instructions of the desk officer but inadvertently these entries were made on STDR No. 403727 for Rs. 96000. At the time the workman was working at the seat in the bank and it is natural process for the workman to made entry in case of any request is received and that entry was made by the workman and the same was approved by the competent officer. Apparently the workman acted in discharge of her official duties and no fraudulent intention can be attributed to the workman.

18. Now returning to the claim statement and rejoinder filed by the workman and the statement of the workman recorded in this Tribunal, it is clear that Smt. Kusum is sister of the workman. In her statement the workman stated that the cheque was not issued by her an Smt. Kusum refunded amount of Rs. 112003. Although the management failed to established the fraudulent intention and the charges regarding fraud against the workman during enquiry and in this Tribunal also but still it appears that Smt. Kusum (the alleged beneficiary) was the sister of the workman and Smt. Kusum refunded the amount to the bank. Though there was no complaint from any quarter for any loss. But by her own admission, workman is held responsible for acting negligently while performing her duties.

19. In view of the discussion made in the earlier paras, it is held that the enquiry was not conducted in a fair and proper manner and conducted the inquiry against the principles of natural justice. The workman was greatly prejudiced in her defence. The management also failed to prove the charges in this Tribunal also when the parties allowed to lead additional evidence. Therefore, the enquiry being conducted against the principle of natural justice is vitiated. Now the question is whether the punishment of removal from Service is proportionate/commensurate for acting negligently while performing her duties.

20. Section 11 A empowers this Tribunal to ID Act 1947 provides powers of Labour Court/Tribunal to give appropriate relief in case of discharge or dismissal of the workman which is given below:

"(11A. powers of Labour Courts, Tribunals and National Tribunals to give appropriate relief in case of discharge or dismissal of workman:— Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may, by its award, set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require".

21. As mentioned above, the enquiry has been vitiated. Consequently considering the facts and circumstances of the case and applying Section 11A of the I.D. Act 1947 mentioned above, the order of removal from service by the disciplinary authority and confirmed in appeal by the appellate authority are set-aside and substituted with the punishment of withholding of five increments with cumulative effect. It is also made clear that the workman will not get any seniority, leave encashment, LFC during the intervening period.

22. In view of the above, the management is directed to reinstate the workman an with full back wages after deducting the subsistence allowance if any paid during suspension period within one month from the publication of the award. The reference is answered accordingly. Central Govt. be informed. A soft copy be also sent to the Central Govt.

Chandigarh

S.P. SINGH, Presiding Officer

Dated : 7-8-2013

नई दिल्ली, 14 अगस्त, 2013

का.आ. 1920.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार साहादरी ग्रामीण बैंक प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलोर के पंचाट संदर्भ संख्या 129/1997 को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-08-2013 प्राप्त हुआ था।

[सं. एल-12011/16/1994-आई आर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 14th August, 2013

S.O. 1920.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 129/1997) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, BANGALORE as shown in the Annexure, in the industrial dispute between the management of Sahyadri Grameena Bank and their workmen, received by the Central Government on 12-08-2013.

[No. L-12011/16/1994-IR(B-I)]

SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, YESWANTHPUR, BANGALORE

DATED : 28th May, 2013

PRESENT : SHRI S.N. NAVALGUND,
Presiding Officer
C.R. No. 129/1997

I Party

Sh. P. Mallikarjunaiah,
General Secretary,
Sahyadri Grameena
Bank Workers Union,
Market Road, SAGAR-577 401.

II Party

The Chairman and
Managing Director,
Sahyadri Gramina Bank
(HO), PB No. 136, K V
Road, SHIMOGA.

APPEARANCES

I Party : Shri R. Nagendra Naik,
Advocate

II Party : Shri N. Srinivasa Rao,
Advocate

AWARD

1. The Central Government *vide* order No. L-12011/16/1994 - IR (B-I) dated 29.03.1996 in exercise of the power conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) made this reference for adjudication with the following schedule:

SCHEDULE

"Whether the management of Sahyadri Gramin Bank, Shimoga is justified by regularising part-time messengers-cum-sweepers as per list w.e.f. 1.9.93 instead of 22.2.91 as per NIT Award with working group RRBs recommendations? If not, to what relief they are entitled and from which date?"

2. On receipt of the reference while registering it in C R 129/1997 securing the presence of both sides after completion of the pleadings, evidence and arguments when the matter was pending for passing of the award, the learned advocate appearing for the I Party filed a memo under the signature of General Secretary of the I Party Union and himself to dispose off the reference as not pressed. In the said Memo it is stated several writ petitions were filed for the similar reliefs by employees of various other Grameena Banks like Kolar Grameena Bank, Thungabhadra Grameena Bank, Krishna Grameena Bank, Chicko Grammena Bank, Malaprabha Grameena Bank before the Hon'ble High Court of Karnataka and when the same came to be allowed the Order being implemented by the management and the I Party Union has decided to settle this issue as well relating to ertwhile employees of Sahyadri Grameena Bank at Industry Level as such it is not pressing this reference. The counsel for II party submitted that he has no objection to dispose off the reference as Not Pressed as stated in the Memo. Accordingly, on 28.05.2013 the proceedings have been recorded and I Pass the following Order:—

ORDER

The reference is Rejected as Not Pressed by the I Party Union as per its Memo dated 28.05.2013. The parties shall bear their own cost.

(Dictated to U D C, transcribed by him, corrected and signed by me on 28th May, 2013)

S. N. NAVALGUND, Presiding Officer

नई दिल्ली, 14 अगस्त, 2013

का. आ. 1921.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पूर्व रेलवे प्रबंध तंत्र के सबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण धनबाद के पंचाट (संदर्भ संख्या 225/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12/08/2013 प्राप्त हुआ था।

[सं. एल-41012/14/1999-आई आर (बी-1)
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 14th August, 2013

S.O. 1921.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 205/1999) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, No. 2 Dhanbad as shown in the Annexure, in the industrial dispute between the management of Eastern Railway and their workmen, received by the Central Government on 12/08/2013.

[No. L-41012/14/1999-IR(B-I)]
SUMATI SAKLANI, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 2), AT DHANBAD****PRESENT**

Shri Koshori Ram

Presiding Officer,

In the master of an Industrial
Dispute under Section 10(1)(d)
of the I.D. Act., 1947,

REFERENCE NO. 205 OF 1999**PARTIES:**

Br. Secretary, Eastern Railway
Men's Union, DRM Building,
Dhanbad, Vs. DRM/Sr. D.C.M. E.
Centre, Railway, Dhanbad

APPEARANCES:

On behalf of the : Mr. D. Mukherjee, Ld.
workman Advocate

On behalf of the : None
Management

STATE : JHARKHAND

INDUSTRY : RAILWAY

Dated, Dhanbad, the 22nd July, 2013

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on then under Sec. 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-41012/14/99-IR(B-I) dt. 17.05.1999.

SCHEDULE

"Whether the action of the D.R.M., Eastern Railway Dhanbad in not regularizing Sri Santosh Kumar Singh., Sr. RCC to the post of E.C.R.C., Dhanbad and awarding punishment upon the workman by way or disciplinary action during the pendency of conciliation proceeding, are justified? If not, what relief the concerned workman is entitled?"

2. The case of the sponsoring union Eastern Railway Men's Union, Dhanbad for workman Santosh Kumar Singh is that after appreciating efficiency and qualification of the

workman as Railway Commercial Clerk in pay scale of Rs. 975-1500 under the Chief Booking Supervisor, Eastern Railway, Dhanbad, he workman has been working as Reservation Clerk on the Reservation Counter since 1.1.1988 continuously as per direction of the management, by putting more than 240 days attendance in each calendar year. On successful completion of his Computer training for the work as he was sent for it, he was posted as Reservation Clerk. But instead of regularizing him as ECRC, the management promoted him to the post of Sr. NCC in scale of Rs. 1200-2040/. His several representations to the management for his aforesaid regularization as ECRC with requisite pay scale and other consequential benefits are still without any effect.

3. Further alleged that the annoyance to the management with his frequent insistence for it resulted in his implication in false case. Despite his satisfactory explanation to a false and frivolous charge sheet, the management after conducting an empty formal Enquiry punished the workman with reduction in his pay scale to Rs. 3100-4500/- from the scale of Rs. 4000-6000, fixing his initial pay at Rs. 3285 for a period of three years. On his appeal against the illegal and arbitrary imposition of punishment, it was reduced to the same with cumulative effect for two years. The aforesaid punishment was inflicted on the workman during the pendency of conciliation proceeding without prior permission from the Conciliation Officer, which was in violation of the provision u/s 33 and 9A of the Industrial Dispute Act, and the settled law of the law, as there was no legal evidence for his punishment in the alleged Departmental Enquiry. The workman was victimized. On failure of the conciliation proceeding, it was referred to the Tribunal for an adjudication. Thus, the action of the management was illegal, arbitrary, unjustified and against the principle of natural justice.

4. In the rejoinder filed by Mr. D. Mukherjee, Ld. Advocate for the workman denying all the allegations of the Opp./Management, it has been stated that the Limitation Act is not applicable in a case under the Industrial Dispute Act, moreover there was no delaying in raising the dispute. Though the designation on the Reservation Clerk was Relieving Clerk, but factually he had been working against permanent vacancy in permanent particular post. The Chief Reservation Supervisor was given the money on 9.8.96, as there was previously no system of maintaining any record of Daily Receipt of the Cash. The alleged misappropriation of a sum of Rs. 40,377/- on 9.8.96 and allegedly keeping it by the workman till 2.9.96 for his personal view, and its remittance by him on 3.9.96 are quite false.

5. Whereas the contra pleaded case of the Opp./Management in a challenge to the maintainability in the ground of Limitation is that it is untenable as per the Rly. Board Circular No. E/SI/FG/I-22 dt. 14.12.1951 for settlement of such dispute. The workman on compassionate ground

was appointed as the Commercial Clerk in the pay scale of Rs. 975-1540/- RP, and on completion of Training, was posted as the Relieving Commercial Clerk (RCC). The post of the RCC utilized against casualities in exigency of service is quite distinct from that of the Enquiry-cum-Reservation Clerk under the control of the Head Quarter. In course of the working as RCC, the workman had, as detected, serious misconduct of misappropriation of Rs. 40,377/- on 9.8.1996, of keeping it for his personal gain till 2.9.1996, and lastly, of remitting it on 3.9.96. On finding him guilty of it in the departmental proceeding, he was awarded with a major penalty in the reduction of his pay scale from 4000-6000 to the scale of 3200-4900/ (RSRP). Though the punishment was reduced by the Appellate Authority (ADRM) to the reduction of his pay in three slabs in scale of Rs. 4000-6000 (RSRP) for two years.

6. The Opp./Management in its para-wise comments categorically denying the allegations of the workman has alleged that the workman was directed to work and accordingly worked as a RCC on the Reservation Counter, but not as a Reservation Clerk. On his failure in acquiring the required competency for promotion as ECRC or Reservation Clerk, despite his computer training, he has been still working as RCC, and in lack the proficiency required for promotion to ECRC, he has been promoted as Senior RCC as per his entitlement. Finding his Show Cause unsatisfactory to the departmental chargesheet, which was justifiable issued for his misconduct, the departmental enquiry was conducted against him by examining and cross-examining the witnesses after following the principles of natural justice. There was an absence of nexus between the departmental action for this misconduct and the promotion to a post or requisite competency.

FINDING WITH REASONING

7. In this reference case, MWI Akhil Kr. Pandey, the Commercial Supervisor (General), MW2 Pulakesh Roy, the Chief Reservation Supervisor, Dhanbad for the Management, and WWI Santosh Kr. Singh, the workman himself on his affidavit Chief for the Union have been examined respectively.

The present reference as its terms, evidently involves two points for considerations:

Firstly, the non-regularization on the workman, Sr. RCC, as the E.C.R.C., and secondly, alleged infliction of punishment by the disciplinary action during the pendency of the conciliation proceeding.

At the very outset, it is pertinent to point out that the both the parties have straightway adduced only oral evidences on their behalf in the term of reference without initially raising any challenge by the workman to the department enquiry as an incidental issue to the main point of reduction in his pay scale. Neither the workman nor the

O.P./Management has any documentay proof on their behalf in this reference. As per the terms of reference, the implied challenge of the workman to the departmental enquiry is his acceptance of it as his evasive one.

For the sake of convenience in the adjudication, firstly the second point: whether the alleged infliction of punishment by disciplinary action was effected during the pendency of conciliation proceeding is taken up for consideration.

As contrasted with the pleading of the alleged infliction of the punishment vaguely, *i.e.* without specific date of infliction of the punishment upon the workman, the workman Santosh Kr. Singh as WWI in this affidavited Chief has stated in the last Para of his page No. 2 as such:

"That during the pendency of the conciliation, the management inflicted punishment by order dt. 13.7.99 by reducing my pay scale to Rs. 3100-4500 from the scale of Rs. 4000-6000, and fixed initial pay at Rs. 3285 on the basis of invalid and illegal alleged enquiry and that too without taking prior permission or approval from the Conciliation Officer."

The very statement of the worman in lack of specific period of the conciliation cuts the root of his case at point of punishment infliction. It is the inability of the workman to prove what was the specific period of the conciliation proceeding before the ALC during which unfortunate punishment was inflicted. The present reference of his industrial dispute relates to its date 17th May, 1999 as the date of reference by the Ministry for an adjudication. But his affidavited chief in the last para at page 3-4 discloses: 'imposition of punishment of reduction in this pay scale by order dt. 13.7.98. It seems clear cut self contradictory. How he could be inflicted with his punishments in course of conciliation thereafter goes unanswered by the workman himself. His case at the second point is quite vague and uncertain. It seems putting of a cart before the horse by the workman.

8. At the first point of the reference related to the non regularization of the workman Santosh Kr. Singh, Sr. RCC, by the DRM, Eastern Railway, Dhanbad to the post of E.C.R.C., Dhanbad, it impliedly involves an issue of confirmation as the E.C.R.C. concerning the workman. In this regard, it is an indisputable fact that the workman possesses not any document as a proof of passing the computer training, of his confirmation as the commercial clerk and of his posting at the Reservation Counter. Having served as the commercial clerk in exigencies, he appears to have known that the ECRC (Enquiry cum Reservation Clerk) and the Commiercial Clerk are the different posts, and the ECRC is under the control of the Headquarter (previously at Calcutta) However the claim of the workman is for his regularization as E.C.R.C. with retrospective effect on the ground of his posting as a Reservation Clerk on the Reservation Counter since 1.1.88 after completion of

successful computer training at the cost of the management and efficiency test, as he was posted accordingly by the management in exigency against permanent post.

9. The statement of MWI Akhil Kr. Pandey (A.K. Pandey) as the Commercial Supervisor (General) at Dhanbad disclosed that there was no designation of Reservation clerk, rather there is post designated as Enquiry cum Reservation Clerk, which is under the control of the Head Quarter, Calcutta; the workman, the permanent staff was posted as Relieving Commercial Clerk in his basic pay of Rs. 975/- per month in exigency in the Booking office in the year 1986 up to 31.12.1987 as the written order of the Authority. It also reveals that the workman was directed to work from 1.1.1988 at the Reservation Counter as the Reliving Commercial Clerk under the control of the Commercial Officer, Dhanbad apart from that of the H. Qr. The post of commercial clerk and reservation clerk are same but the relieving commercial clerk without any order is not authorized to work as a Reservation Clerk, the workman was promoted to the post of Sr. Relieving Commercial Clerk in the scale of Rs. 1200/- per month. The management witness (MWI) has affirmed that a candidate in order to get the post of the Enquiry cum Reservation Clerk is required to succeed in the Suitability/Proficiency Test absolutely under the control of the Head Quarter on his application through proper channel, but the workman had not passed the suitability test or it. After due departmental enquiry by Sri N.K. Parasuramka, the Asstt. Commercial Manager as the Enquiry Officer into the charge sheet against the workman for misappropriations of Rly money sale proceeds Rs. 40,377/- and keeping it till 3.9.96, the workman was held guilty of it, for which the Disciplinary Authority punished him with the reversion to one scale below; and on his appeal before the ADRM, Dhanbad, the Appellate Authority, his punishment was reduced to three stages/ increments with cumulative effect for two years, against which his review before the Chief Commercial Manager, Calcutta, the Reveiw Authority, was rejected, though after making entry into his Roster, the workman had deposited the said money on 3.9.96.

Likewise the statement of MW2 Pulakesh Roy, as the Chief Reservation Supervisor under E.C. Rly posted since 1978 also affirms that Reservation Clerk works in the reservation Section under the Head Quarter control; and that the handing over the sale proceeds by the incumbent of the Booking/Resevation Office immediately after his duty to the appropriate authority is mandatory. It also discloses that by posting the workman as Relieving Commercial Clerk at the Reservation Counter in the year 1988, his service was utilized as the Reservation Clerks.

10. As per the written argument of the workman, his contention is that after putting in 240 days in attendance as Reservation Clerk, no sooner the workman had demanded for his regularization accordingly than the management inflicted upon him the punishment during the

pendency of the conciliation proceeding which is illegal and arbitrary. But unfortunate fact is that the workman has vague pleading and evidence at the point of 240 days attendance, so his such plea in absence of period of his attendance turns out unproved. Moreover, the case of the workman about his punishment during pendency of the conciliation proceeding in lack of its proof stands nowhere as earlier discussed. The plea of the workman that Shri Pulakesh Ray (MW2) in cross Para 4 admitted that the workman is working as Reservation Clerk appears to be distorted as unsustainable because his clear statement is about the posting of the workman as Relieving Commercial Clerk at the Reservation Counter in the year 1988. It is further argued that in lack of prayer and evidence for determining the fairness of the enquiry or in the case of the silence of the both witnesses of management on the alleged misconduct, there is no evidence of the management to justify its action. But in the present reference the workman did not initially take up the point of the unfairness of the domestic enquiry as an incidental issue to the main dispute just as the Opp./Management did not urge for determination of its fairness. When the person who challenges the fairness of the enquiry has firstly to discharge the onus of proof at the point as per the rule of law, according to which even evasive or implied challenge to it amounts to its acceptance as in the present case.

Lastly, it is submitted on the workman, citing the ruling in the case of the workman Vs. Hindustan Lever Ltd., AIR 1984(SC)1683(CB) as held therein, that 'to confirm an employee in the acting position means regularization'. The ruling in the reference to Secs.2(k), 7-A, 10, Sec.3 Item 7 of the Industrial Dispute Act, 1947 relates to the meaning of "Industrial Disputes any dispute or difference between employers and employees as under Sec.2(k) of the Act just as question of their confirmation. It relates to demand of the workman for classification of the workmen officiating in the higher grades either as permanent or temporary, and they should not be continued indefinitely as temporary by making them permanent on rendering of continuous service in the higher grade for a period of three months. The demand involves both the classification of employees and classification by grade. But the present reference under adjudication has no such case of the workman as working on the post of E.C.R.C., if so, for what period, as there is neither pleading nor proof to that effect on behalf of the workman.

11. On appreciations of the materials on the records of the case, I find that the Union/workman could establish neither his case of his regularization as the E.C.R.C., Dhanbad nor awarding him punishment by the disciplinary action during the pendency of conciliation proceeding.

Hence, under these circumstances, it is hereby awarded that the action of the D.R.M., Eastern Railway, Dhanbad, in not regularizing Sri Santosh Kumar Singh, Sr.

R.C.C. to the post of E.C.R.C., Dhandbad, is quite legal and justified. Since, there is no proof of infliction of punishment during which specific period of conciliation proceeding, it goes negative towards the workman. so, the workman is not entitled to any relief.

KISHORI RAM, Presiding Officer

नई दिल्ली, 14 अगस्त, 2013

का०आ० 1922.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद के पंचाट (संदर्भ संख्या 22/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14/8/2013 को प्राप्त हुआ था।

[सं० एल-12011/14/2008-आईआर (बी-II)]
सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 14th August, 2013

S.O. 1922.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the Award (Ref. No. 22 of 2008) the Central Government Industrial Tribunal/Labour Court No.1, DHANBAD now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CENTRAL BANK OF INDIA and their workman, which was received by the Central Government on 14.08.2013.

[No. L-12011/14/2008-IR(B-II)]
SUMATI SAKLANI, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.1), DHANBAD. IN THE MATTER OF A REFERENCE U/S 10(1) (D) (2A) OF I.D. ACT, 1947.

Ref. No. 22 of 2008

Employers in relation to the management of Central Bank of India, Saharsa.

AND.

Their workmen.

PRESENT: Sri Ranjan Kumar Saran,
Presiding officer

APPEARANCES:

For the Employers Sri B.N. Keshri, Manager
For the workman. Sri R.L. Gupta, Concerned
workman

State : Jharkhand. Industry : Banking
Dated 26/7/2013

AWARD

By Order No. L-12011/14/2008-IR (B-II), dt. 12/05/2008, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

SCHEDULE

"Whether the action of the management of Central Bank of India, Regional Office, Saharsa in inflicting punishment on Sri Ratan Lal Gupta, Clerk Teghra Branch, bringing down to lower stage in the scale of pay by one stage for one year is justified and legal? If not, what relief the workman is entitled?"

2. The case is received from the Ministry of Labour on 02.06.2008. The Sponsoring Union/workman files their written statement on 09.06.2008 alongwith few documents. Thereafter the management files their written statement-cum-rejoinder on 26.09.2008. Three witnesses on behalf on the management have been examined and the workman has been examined himself on his behalf.

3. On the ground of misconduct 3 charges were leveled against the workman and only charge No. 1 that the workman remained absent on 13.2.2001 and 14.2.2001 without any prior intimation to the bank authority. Was pressed by the management.

4. The workman stated that false charges of dowry death was against him for which he was consulting lawyer and surrendered in Court on 15.02.2001, for which he could not give prior intimation of leave for 13.02.2001 and 14.02.2001 and sent his leave application on 16.02.2001.

5. On the other hand it is submitted by the management that unauthorized absence of bank staff in Bank is a serious charge and as such appropriate action has been taken. It is submitted by the workman that he submitted the leave application on 16.02.2001 *i.e.* three days after his absence in the Bank, and thereafter remanded to fail and detained there for about 5 years and finally acquitted cleanly.

6. Unauthorised absence, in any public sector of company, offices against the official norms, the workman situation was different. He lost his will then. Though the workman has also admitted regarding his unauthorised absence and subsequent leave application harsh action against him is unwarranted.

7. Considering the facts and circumstance of this case, I hold that the action of the management of Central Bank of India, Regional Office, Saharsa in inflicting punishment on Sri Ratan Lal Gupta, Clerk Teghra Branch, bringing down to lower stage in the scale of pay by one stage for one year is not legal and justified? Hence the

workman be given his dues and his unauthorised absence of 13.02.2001 and 14.02.2001, be treated his casual leave. If that is not there in his credit the absent dates be treated as any other leave.

This is my award

R.K. SARAN, Presiding Officer

नई दिल्ली, 8 अगस्त, 2013

का०आ० 1923.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद के पंचाट (संदर्भ संख्या 46/2012) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3/5/2013 को प्राप्त हुआ था।

[सं. एल-12011/115/2011-आईआर (बी-II)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 8th August, 2013

S.O. 1923.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the Award (Ref. No. 46/2012) of the Central Government Industrial Tribunal/Labour Court No.1, DHANBAD now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CENTRAL BANK OF India and their workman, which was received by the Central Government on 03.05.2013.

[No. L-12011/115/2011-IR(B-II)]

SUMATI SAKLANI, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO.1), DHANBAD.**

**IN THE MATTER OF A REFERENCE U/S 10(1) (D)
(2A) OF I.D. ACT, 1947.**

Ref. No. 46 of 2012

Employers in relation to the management of Central Bank of India, Patna

AND.

Their workmen.

PRESENT: Sri Ranjan Kumar Saran,
Presiding officer

APPEARANCES:

For the Employers : None

For the workman : None

STATE : JHARKHAND.

INDUSTRY: BANK

Dated 16/04/2013

AWARD

By Order No. L-12011/115/2011-IR (B-II), dated 26/09/2012, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following disputes for adjudication to this Tribunal:

"Whether the action of the management of Central Bank of India in engaging Sri Diwakar Prasad Choudhary as part Time Sweeper for 20 years is legal and justified? If not, whether the demand of the Union to regularise the service of Sri Diwakar Prasad Choudhary is just and proper? What relief is the workman concerned is entitled to?"

After receipt of the reference, both parties are noticed but on behalf of the Bank, a petition received by post to the effect that the present workman filed a petition for withdrawal of the dispute pending before the ALC, But in spite of that, this Tribunal issued notice to the parties, None appears from the both sides. It is felt that there is no dispute between the parties. Hence no dispute award is passed, communicate to the Ministry.

R.K. SARAN, Presiding Officer

नई दिल्ली, 14 अगस्त, 2013

का०आ० 1924.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय जीवन बीमा निगम प्रबंध तंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलोर के पंचाट (संदर्भ संख्या 28/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12/08/2013 को प्राप्त हुआ था।

[सं. एल-17012/21/2002-आई आर (बी-1)]

सुमति सकलानी, अनुभाग अधिकारी

New Delhi, the 14th August, 2013

S.O. 1924.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 28/2003) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Bangalore as shown in the Annexure, in the industrial dispute between the management of LIC of India and their workmen, received by the Central Government on 12/08/2013

[No.L-17012/21/2002-IR(B-I)]

SUMATISAKLANI, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL -CUM-LABOUR COURT**

"Shram Sadan",
G.G. Palya, Tumkur Road,
Yeshwantpur, Bangalore-560022.

DATED : 24th May, 2013

PRESENT : Shri S. N. NAVALGUND
Presiding Office

C.R. No. 28/2003**I Party**

Shri Allah Baksh,
S/o late Shri Abdul Azeez,
No. 44, 5th Main, I B Cross,
Rahamathnagar,
R T Nagar Post,
BANGALORE- 560 032.

II Party

The Senior Divisional Manager,
LIC of India
Divisional Office, Jeevan
Prakash, P B No. 6694,
JC Road,
BANGALORE- 560 002.

APPEARANCES

I Party : Shri B S Venkatesh,
Advocate

II Party : Shri B V Krishna,
Advocate

AWARD

1. The Central Government vide order No. L-1 7012/21/2002-IR (B-1) dated 07.05.2003 in exercise of the power conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) made this reference for adjudication with the following schedule:—

SCHEDULE

"Whether the action of management of LIC of India is justified in removing Shri Allah Baksh, Sweeper, w.e.f. 12.12.1998 from the services in terms of Regulation 39 (1) (F) of Life Insurance Corporation of India (Staff) Regulation 1960 ? If not, what relief the said workman is entitled to?"

2. On receipt of the reference while registering it in CR 28/2003 when the notices were issued to both sides, they entered their appearance through their respective advocates and filed their claim statement and counter statement. Since my learned predecessor by Order dated 13.07.2006 held the Domestic Enquiry conducted against the I-Party by the II-party is Not Fair and Proper and called upon the II party to substantiate the charge levelled against the accused he examined Sh. Nanjundeswar as MW 2 and closed his side without, getting any documents exhibited and *inter alia* the learned advocate appearing for the I-party filing the affidavit of the I-Party examined him on oath as WW 1 and did not get any documents

exhibited, the arguments of both sides have been heard as such the points that now arises for my consideration are:

1. Whether the II party proved the charges levelled against the I Party?
2. If so, what is the appropriate punishment deserves by I Party?
3. What Order?

3. The brief facts leading to this reference and award may be stated as under:

4. The I Party who joined the services of the II party as a Sweeper on 23.02.1978 on Compassionate Grounds in lieu of death of his father Abdul Aziz who was serving in the II Party, pursuant to a complaint filed by Sh. C Ramanathan, Senior Divisional Manager of the II Party on 14.12.1992 suspecting theft of railway tickets and cancelling the same and usurping the value of the cancelled railway tickets by the I Party to SJP Police, he was charge sheeted before VIth Additional CMM, Bangalore for offences punishable under Section 381 and 419 of IPC and the said court after trial acquitted him through judgement dated 25.03.1998 and in the meanwhile the II Party on 31.09.1997 issued charge sheet against him alleging that he committed theft of Railway Tickets and by encashing them misappropriate a sum of Rs. 4468.00 in the name of K Yusuf and as he denied the said charge the II Party/management appointing Sh. Nanjundeshwar, Manager (Legal & HPF), Divisional Office-I, Bangalore as Enquiry Officer and Sh. Harishankar, AO, K G Road Branch, Bangalore as Presenting Officer ordered for Domestic Enquiry and the said Enquiry Officer after recording the evidence of Sri Khaja Moinuddin, Sri Shankarappa and Sh. H M Srinivasaiah and exhibiting Report of SJ Park Police Station dated 23.12.1992; Southern Railway Letter dated 01.12.1992; Letter dated 27.11.1992 written by LIC to Railway; Preliminary Investigation Report on Shri M R Gopal dated 15.04.1995; Letter dated 13.08.1996 issued to Shri Khaja Mohiyuddin, Asst., CS, DO; Letter dated 27.08.1996 issued to Shri Khaja Mohiyuddin, Asst., CS, DO; Letter dated 03.12.1992 issued to Shri Khaja Mohiyuddin, Asst., CS, DO; Letter dated 20.03.1997 issued to Shri Shankarappa, the then Steno, OS; Letter dated 21.04.1997 reply of Shri Shankarappa; Letter dated 11.03.1997 issued to Shri Srinivasaiah, Peon, OS DO-I; Reply of Shri Srinivasaiah dated 05.04.1997; Railway cancellation forms and confessional statement made by Shri Allah Baksha as Ex E-1 to E-13 for the management and receiving the written statement filed by the CSE/I Party submitted his Enquiry Findings on 02.03.1998 to the Disciplinary Authority holding him guilty of the charge and thereafter the Disciplinary Authority after issue of show cause notice and giving opportunity of hearing vide order dated 05.06.1998 imposed the impugned punishment of Removal

from Service. Aggrieved by the said punishment imposed by the Disciplinary Authority the CSE/I Party approached the Hon'ble High Court of Karnataka in WP No. 1704/1999 and the said Writ Petition came to be disposed off on 22.01.1999 reserving the liberty to the I party to prefer an appeal before the Appellate Authority further directing the Appellate Authority to dispose of his appeal within 6 months from the date of filing the appeal and accordingly when he filed an appeal before the Appellate Authority, the Appellate Authority after affording opportunity of hearing dismissed the appeal and confirmed the punishment imposed by the Disciplinary Authority by an order dated 17.07.1999. Then the I Party who filed an application before this tribunal challenging the order of his removal and the same was Registered in Misc. No. 26/1999 later withdrawn with a liberty to file necessary application before the concerned authority and then he moved the ALC(C), Bangalore and on his submitting failure report the Central Government made this reference for adjudication.

5. The I Party in his claim statement claims that after he was charge sheeted at the instance of the management for offence punishable under Section 381 and 419 before the competent criminal court after about five years of being charge sheeted served with charge sheet and inspite of his request not to proceed with the enquiry until the conclusion of the criminal case the management proceeded with the enquiry and though he came to be acquitted by order dated 25.03.1998 by the criminal court the II Party proceeded with the Domestic Enquiry and imposed the impugned punishment of Removal from Service without any legal and valid evidence as such the enquiry finding being baseless deserves to be set aside and consequently the punishment imposed by the Disciplinary Authority and affirmed by the Appellate Authority.

6. *Inter alia*, in the counter statement filed by the II-party it is contended that during September 1992 its Office Services Department, Divisional Office-I, Bangalore — 2 observed that some of the Railway Tickets kept in the Steel Cupboard of OS Department were being stolen a criminal complaint with SJP Road, Police Station was filed suspecting the I party and the siad police while registering it in Crime No. 257/1992 of their Police Station and investigating into it on the confession made by the CSE before the Investigating Officer he was charge sheeted before VIth Additional CMM, Bangalore and after carefully examining the Investigation Report he was issued with a show cause notice dated 05.06.1998 to which the CSE/I Party replied on 09.07.1998 and as the same was not found satisfactory the charge sheet was issued and as the reply given by him was not satisfactory the Domestic Enquiry was conducted by appointing Shri Nanjundeshwar, Manager (Legal & HPF), Divisional Office — I, Bangalore as Enquiry Officer and Sh. Harishankar, AO, K. G. Road Branch, Bangalore as Presenting Officer and as Enquiry Officer submitted the Enquiry Report the charge being proved

and after affording opportunity of hearing he has been proportionately punished by Removal from Service by the Disciplinary Authority and on his appeal to the Appellate Authority as directed by Hon'ble High Court of Karnataka in W P No. 1704/1999 the Appellate Authority after considering his appeal with the evidence on record having affirmed the punishment imposed by the Disciplinary Authority there is no necessity to interfere either in the Enquiry Finding or the punishment imposed by the Disciplinary Authority which is affirmed by the Appellate Authority by giving congruent reasons.

7. As already adverted to by me above, my learned predecessor having regard to the pleadings of both the sides by framing a PI touching the fairness or otherwise of the Domestic Enquiry after receiving the evidence adduced by both the sides by his detailed order dated 17.10.2007 having held the Domestic Enquiry was not fair and proper and afforded an opportunity to the II Party to prove the charge and accordingly the II party lead the oral evidence through Sh. Nagendra Prasad who has reiterated the contention of the counter statement and I Party examined himself rebutting the same the only points now as mentioned by me above as to whether the II Party proved the charge of theft of Railway Tickets and concealment of the same by the I Party in the name of K Yousuf and encashing a sum of Rs. 4468.00 misappropriated it as alleged? and if so, what is the appropriate punishment I Party deserves?

8. All the while through the Counter Statement and the evidence of MW 2 the management harps on the alleged confession made by the I Party/CSE before the Investigating Officer in criminal case further contending that since the criminal court acquitted him for failure of the investigating officer to give evidence the charge against him being proved. Since the management in case of theft apart from initiating a criminal case is entitled to initiate Domestic Enquiry, it has to lead necessary evidence in the Domestic Enquiry to prove the charge of theft against its employee. In my humble opinion since the Investigating Officer who charge sheeted the I Party only based on the confession allegedly made by the I Party before him knowing that same is not admissible in evidence must not have appeared before the criminal case and ultimately the CSE/I Party must have been acquitted by the criminal court. Further when this tribunal held the Domestic Enquiry conducted by the II Party against the I Party was not fair and proper any amount of evidence let in by the Management before the Enquiry Officer cannot be looked into and when they were given opportunity to lead necessary evidence to substantiate the charge since nothing is placed on record except the affidavit of Sh. Nagendra Prasad reiterating the counter statement, absolutely, I find no evidence to believe theft of alleged Railway Tickets covered in the charge sheet by the I Party and encashing them in the name of K Yousuf and usurping

that amount by himself. In the result, I have arrived at conclusion the II Party having miserably failed to prove the charge to theft of Railway Tickets covered in the Charge Sheet by the I Party and encashing the same in the name of K Yousuf and usurping the said cash of Rs. 4468.00 for himself.

9. In view of my finding that management/II Party failed to substantiate the charge levelled against the I Party the question/point relating to imposing of punishment does not survive for consideration and I Party deserves to be reinstated into service. Since due to the fault committed by the I Party himself initially approaching the Hon'ble High Court of Karnataka immediately after he was imposed punishment of removal from service by the DA and later as directed by the Hon'ble High Court approaching the AA and after his decision again committing a folly in directly approaching this tribunal and later realising the same is not maintainable withdrawing it approaching the ALC(C), Bangalore for conciliation and thereafter on his submitting the failure report the Central Government made this reference in the year 2003, I feel it just and appropriate to direct the management/II Party to pay him full backwages from the date of reference i.e., 7.5.2003 till his reinstatement, to provide continuity of service and all other consequential benefits he would have received in the absence of the impugned punishment of removal from service. In the result, I pass the following Order:

ORDER

The Reference is Allowed holding that the action of the management of LIC of India in removing Sh. Allah Baksh, Sweeper w.e.f. 12.12.1998 from the services in terms of Regulation 39(1) (F) of Life Insurance Corporation of India (Staff) Regulation 1960 is not legal and justified and that he is entitled for reinstatement with full backwages from the date of reference i.e., 7.5.2003 till the date of his reinstatement, continuity of service and all other consequential benefits that he would have received in the absence of the impugned punishment order.

(Dictated to U.D.C., transcribed by him, corrected and signed by me on 24th May, 2013)

S. N. NAVALGUND, Presiding Officer

ANNEXURE—I

List of witnesses on merits:

MW 2—Sh. Nagendra Prasad

WW 1—Sh. Allah Baksh, I party workman

Documents exhibited on behalf of the Management on merits:

Nil

Documents exhibited on behalf of the I party on merits:

Nil

नई दिल्ली, 14 अगस्त, 2013

का०आ० 1925.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय असनसोल के पंचाट (संदर्भ संख्या 88/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-08-2013 को प्राप्त हुआ था।

[सं. एल. 22012/94/2006-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 14th August, 2013

S.O. 1925.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 88/2006) of the Cent.Govt.Indus.Tribunal-cum-Labour Court, Asansol as shown in the Annexure, in the industrial dispute between the management of Kunustoria Colliery of M/s. ECL, and their workmen, received by the Central Government on 14-08-2013

[No.L-22012/94/2006-IR (CM-II)]

B. M. PATNAIK, Desk Officer

ANNEXURE**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL**

PRESENT: Sri JAYANTA KUMAR SEN,
Presiding Officer

REFERENCE NO. 88 OF 2006

PARTIES: The management of Kunustoria Colliery, M/s. ECL. Burdwan (W.B.)

Vs.

The Gen. Secy., KMC, Asansol, (W.B.)

REPRESENTATIVES:

For the management: Sri P.K. Das. Ld. Advocate

For the Union : Sri S.K. Pandey, Ld.
(Workman) Representative

INDUSTRY: COAL STATE : West Bengal

Dated 03.06.13

SETTLEMENT AWARD IN LOK ADALAT HELD ON 03-06-13 AT KUNUSTORIA GUEST HOUSE

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the

Industrial Disputes Act, 1947 (14 of 1947). Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/94/2006-I.R. (CM-II) dated 01.11.06 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Kunustoria Colliery of M/s. ECL in dismissing Shri Budhi Majhi from service *w.e.f.* 17.07.2003 is legal and justified? If not, to what relief is the workman entitled?"

Having received the Order of Letter No. L-22012/94/2006-I.R. (CM-II) dated 01.11.06 of the above said reference from the Govt. of India. Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 88 of 2006 was registered on 14.08.2006 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

During Lok Adalat on behalf of the Management, Sri P.K. Das, Ld. Advocate has stated on the paper of Settlement that the case is not covered under Memorandum of Settlement. Sri S.K. Pandey who appeared on behalf of the workman has submitted that according to the appointment letter the workman Budhi Majhi has been assessed the age as 22½ years on 30.05.95. It has further been submitted by Sri Pandey that earlier a charge sheet Ref. ECL/KNT/PER/CS-7/6974 dated 10.03.02 was issued for unauthorized absence since 17.05.2001 and without giving any proper finding in enquiry in this charge sheet, a subsequent charge sheet No. Ref. ECL/KNT/PER/CS-7/522 dated 02.07.03 was submitted which was decided *exparte* and this enquiry incorporated the date of absent of first charge sheet which is against the law. It has further been submitted on behalf of the workman that the workman is below 45 years of age as per appointment letter issued on 30.05.95 *vide* Ref. No. A/KNT/P & IR/Appt./13/1416 dated 30.05.95.

Thus considering the above facts, I find and come into conclusion that the period of absence does not exceed nine months and the age of the workman is below 45 years. So the management should absorb the workman in the job under the provision of Memorandum of Settlement within two months from the date of notification of the Award without any back wages. Accordingly the matter is decided in the Lok Adalat.

ORDER

Let an "Award" be and same is passed as per above discussion. Send the copies of the award to the Govt. of India. Ministry of Labour & Employment, New Delhi for

information and needful. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 14 अगस्त, 2013

का०आ० 1926.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई सी एल के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, असनसोल के पंचाट (संदर्भ संख्या 41/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-08-2013 को प्राप्त हुआ था।

[सं. एल-22012/196/2004-आईआर (सीएम-II)]

बी० एम० पटनायक, डेस्क अधिकारी

New Delhi, the 14th August, 2013

S.O. 1926.—In pursuance of Seciton 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 41/2005) of the Cent.Govt. Indus. Tribunal-cum-Labour Court, Asansol as shown in Annexure, in the industrial dispute between the management of Kalla Central Hospital, and their workmen, received by the Central Government on 14-08-2013.

[No. L-22012/196/2004-IR(CM-II)]

B. M. PATNAIK, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, ASANSOL

PRESENT: Sri JAYANTA KUMAR SEN,
Presiding Officer

REFERENCE No. 41 OF 2005

PARTIES: The management of Kalla Central Hospital, Burdwan

Vs.

The Secy., WBCMU, Kalla Branch,
P.O. Kalla, Burdwan

REPRESENTATIVES:

For the management: Sri P.K. Das, Ld. Advocate

For the union : None
(Workman)

INDUSTRY: COAL STATE: WEST BENGAL

Dated: 29.05.13

AWARD

In exercise of powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the

Industrial Disputes Act, 1947 (14 of 1947). Govt. of India through the Ministry of Labour *vide* its Order No. L-22012/196/2006-IR(CM-II) dated 13.05.2005 has been pleased to refer the following dispute for adjudication by this Tribunal.

SCHEDULE

"Whether the action of the management of Kalla Central Hospital of M/s. ECL over non-placement of Shri Haresh Mishra from Cook Category-III to Category-IV in Kalla Hospital is legal and justified? If not, to what relief an individual is entitled?"

Having received the Order of Letter No. L-22012/196/2004-IR(CM-II) dated 13.05.2005 of the above said reference from the Govt. of India. Ministry of Labour, New Delhi for adjudication of the dispute, a reference case No. 41 of 2005 was registered on 31.05.2005 and accordingly an order to that effect was passed to issue notices through the registered post to the parties concerned directing them to appear in the court on the date fixed and to file their written statements along with the relevant documents and a list of witnesses in support of their claims. In pursuance of the said order notices by the registered post were sent to the parties concerned.

On perusal of the case record, it has found that the workman is neither appearing not taking any step since 2006. Several opportunities were given but of no effect. It seems that the workman is now not interested to proceed with the case any further. Since the workman is not interested to proceed with the case, the case is closed and accordingly an order of "No Dispute" award is hereby passed.

ORDER

Let an "Award" be and same is passed as "No Dispute" existing. Send the copies of the order to the Govt. of India. Ministry of Labour, New Delhi for needful information. The reference is accordingly disposed of.

JAYANTA KUMAR SEN, Presiding Officer

नई दिल्ली, 30 अगस्त, 2013

का०आ० 1927.—केन्द्रीय सरकार कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91-क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इंस्ट्रूमेंटेशन लिमिटेड, पलककड, केरल के कारखानों/स्थापनाओं के नियमित कर्मचारियों को इस अधिनियम के प्रवर्तन से छूट प्रदान करती है। यह छूट, इस अधिसूचना के जारी होने की तारीख से एक वर्ष की अवधि के लिए लागू रहेगी।

2. उक्त छूट निम्नलिखित शर्तों के अधीन है; अर्थात्:—

(1) पूर्वोक्त स्थापना जिसमें कर्मचारी नियोजित हैं, एक रजिस्टर

रखेगी, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम दिखाये जायेंगे;

- (2) इस छूट के होते हुए भी, कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसूविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अंशदानों के आधार पर हकदार हो जाते हैं;
- (3) छूट प्राप्त अवधि के लिए यदि कोई अभिदाय पहले ही किए जा चुके हों, तो वे वापस नहीं किए जाएंगे;
- (4) उक्त कारखाने/स्थापना का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने/स्थापना पर उक्त अधिनियम (जिसे इसमें इसके पश्चात उक्त अवधि कहा गया है) प्रवर्तमान था ऐसी विवरणियां, ऐसे प्रारूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
- (5) निगम द्वारा उक्त कर्मचारी राज्य बीमा अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई सामाजिक सुरक्षा अधिकारी या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी;
 - (i) धारा 44 की उप-धारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरण की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; अथवा
 - (ii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं; या
 - (iii) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिये गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं; या
 - (iv) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अवधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा:—'
 - (क) प्रधान या आसन्न नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे उपरोक्त अधिकारी या अन्य पदधारी इस अधिनियम के प्रयोजनार्थ आवश्यक समझता है; अथवा
 - (ख) ऐसे प्रधान या आसन्न नियोजक के अधिभोगाधीन किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और

उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जिसे वे आवश्यक समझते हैं; या

- (ग) प्रधान या आसन्न नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की नकल तैयार करना या उद्धरण लेना;
- (ङ) यथानिर्धारित अन्य शक्तियों का प्रयोग करना।
- (6) विनिवेश/निगमीकरण के मामले में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नए प्रतिष्ठान को छूट हेतु समुचित सरकार की अनुमति लेनी होगी।

[सं. एस-38014/21/2013-एसएस-I]

जोर्ज कुट्टी टी. एल., अवर सचिव

New Delhi, the 30th August, 2013

S.O. 1927.—In exercise of the power conferred by Section 88 read with Section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the regular employees of factories/establishments Instrumentation Limited, Palakkad, Kerala from the operation of the said Act. The exemption shall be effective from the date of issue of notification for a period of one year.

2. The above exemption is subject to the following conditions namely:—

- (1) The aforesaid establishments wherein the employees are employed shall maintain a registered showing the name and designations of the exempted employees;
- (2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act to which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;
- (3) The Contributions for the exempted period, if already paid, shall not be refundable;
- (4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period),

such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) Any Social Security Officer appointed by the Corporation under Sub-Section (1) of Section 45 of the said ESI Act or other official of the Corporation authorized in this behalf by it, shall, for the purpose of:—

- (i) Verifying the particulars contained in any returned submitted under sub-section (1) of section 44 for the said period; or
- (ii) Ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
- (iii) Ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
- (iv) Ascertaining whether any of provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to be empowered to:
 - (a) require the principal or immediate employer to him such information as he may consider necessary for the purpose of this Act; or
 - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
 - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
 - (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other premises;

(e) exercise such other powers as may be prescribed.

(6) In case of disinvestment/corporatization, the exemption granted shall become automatically cancelled and then the new entity will have to approach the appropriate Government for exemption.

[No. S-38014/21/2013-SS-I]

GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 03 सितम्बर, 2013

का०आ० 1928.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 अक्टूबर, 2013 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध बिहार राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

क्रम सं०	(मौजा का नाम) राजस्व ग्राम का नाम	थाना संख्या	जिला
1.	सिपारा	27	पटना
2.	पकडी	25	पटना

[सं० एस-38013/53/2013-एसएस I]

जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 3rd September, 2013

S.O. 1928.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st October, 2013 as the date on which the provisions of Chapter IV (Except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Bihar namely:—

Sl.	Name of the Revenue Revenue Village	P.S. No.	District
1.	Sipara	27	Patna
2.	Pakri	25	Patna

[No. S-38013/53/2013-SS-I]

GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 3 सितम्बर, 2013

का०आ० 1929.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का

प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 अक्टूबर, 2013 को उस तारीख के रूप में नीयत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध कर्नाटक राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

क्रम	राजस्व ग्राम का नाम	होबली	तालुक	जिला
1.	कूरान्डहल्ली	कसबा	मालूर	कोलार

[सं० एस-38013/54/2013-एसएस I]
जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 3rd September, 2013

S.O. 1929.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st October, 2013 as the date on which the provisions of Chapter IV (Except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka namely:—

Sl. No.	Name of the Rev. Village or Municipal Limits	Hobli	Taluk	District
1.	KOORANDAHALLY	Kasaba	Malur	Kolar

[No. S-38013/54/2013-SS I]
GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 3 सितम्बर, 2013

का०आ० 1930.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उपधारा-(3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 अक्टूबर, 2013 को उस तारीख के रूप में नीयत करती है, जिसको उक्त अधिनियम के अध्याय-4 (44 व 45 धारा के सिवाय जो पहले से प्रवृत्त हो चुकी है) अध्याय-5 और 6 (धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध उड़ीसा राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:

“जिला सुंदरगढ़ की पानपोष तहसिल में गोबिरा के राजस्व गांव”।

[सं० एस-38013/55/2013-एसएस I]
जार्जकुटी टी० एल०, अवर सचिव

New Delhi, the 3rd September, 2013

S.O. 1930.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st October, 2013 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter-V and VI (except Sub-Section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Odisha namely:—

"THE AREAS COMPRISING OF THE REVENUE VILLAGE OF GOBIRA, in the Tahasil of Panposh, in the district of Sundergarh.

[No. S-38013/55/2013-SS.I]
GEORGEKUTTY T. L., Under Secy.

नई दिल्ली, 3 सितम्बर, 2013

का०आ० 1931.—राष्ट्रपति, केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, आसनसोल के रिक्त पद हेतु लिंक अधिकारी के रूप में केन्द्रीय सरकार औद्योगिक अधिकरण-सह-श्रम न्यायालय, गुवाहाटी के पीठासीन अधिकारी श्री लाल चन्द डे को 28.08.2013 से छ माह की अवधि तक अथवा नियमित पदधारण की नियुक्ति होने तक अथवा अगले आदेशों तक, इनमें से जो भी पहले हो तब तक के लिए अतिरिक्त कार्यभार सौंपते हैं।

[सं० ए-11016/03/2009-सीएलएस-II]
राजेश कुमार, अवर सचिव

New Delhi, 3rd September, 2013

S.O. 1931.—The President it pleased to entrust the additional charge of the post of Presiding Officer of the CGIT-cum-Labour Court, Asansol to Sh. Lal Chand Dey, Presiding Officer, CGIT-cum-Labour Court, Guwahati for a period of six months with effect from 28.08.2013 or till the post is filled on regular basis or until further orders whichever is the earliest.

[No. A-11016/03/2009-CLS-II]
RAJESH KUMAR, Under Secy.